



Town of Surfside

DESIGN REVIEW BOARD/ PLANNING & ZONING BOARD

AGENDA

April 27, 2017 – 7:00 p.m.

Town Hall Commission Chambers –
9293 Harding Ave, 2nd Floor, Surfside, FL 33154

Any person who received compensation, remuneration or expenses for conducting lobbying activities is required to register as a lobbyist with the Town Clerk prior to engaging in lobbying activities per Town Code Sec. 2-235. "Lobbyist" specifically includes the principal, as defined in this section, as well as any agent, officer or employee of a principal, regardless of whether such lobbying activities fall within the normal scope of employment of such agent, officer or employee. The term "lobbyist" specifically excludes any person who only appears as a representative of a not-for-profit corporation or entity (such as charitable organization, a trade association or trade union), without special compensation or reimbursement for the appearance, whether direct, indirect, or contingent, to express support or opposition to any item.

Per Miami Dade County Fire Marshal, the Commission Chambers has a maximum capacity of 99 people. Once reached this capacity, people will be asked to watch the meeting from the first floor.

DESIGN REVIEW BOARD

1. Call to Order/Roll Call

2. Approval of Minutes – March 30, 2017

3. DESIGN REVIEW BOARD APPLICATIONS:

A. 8818 Froude Avenue – Garage Conversion

The applicant is requesting to convert their garage to additional living space.

B. 8830 Byron Avenue – Addition & Renovation

The applicant is proposing to enclose the 185-square foot front covered porch and other interior renovations to the existing single family house.

C. 8934 Abbot Avenue – Addition

The applicant is requesting a 96.25 square foot addition to the west side of the house as well as a 125-square foot addition to the rear of the property. Also included is a request to convert the garage to additional living space.

D. 9551 Harding Avenue – Sign

The applicant is requesting one (1) illuminated wall sign for a proposed Araxi Burger Restaurant.

E. 9526 Harding Avenue – Sign

The applicant is requesting one (1) illuminated channel letter wall sign, one (1) window sign and one (1) rear non-illuminated sign for a proposed salon.

F. 9072 Carlyle Avenue – Garage Conversion

The applicant is requesting to convert their garage to additional living space.

4. Quasi-Judicial Application:

Please be advised that the following items on the Agenda are Quasi-Judicial in nature. If you wish to object or comment upon an item, please complete a Public Speaker’s Card indicating the Agenda item number on which you would like to comment. You must be sworn in before addressing the Board and you may be subject to cross-examination. If you refuse to submit to cross-examination, the Board will not consider your comments in its final deliberation. Please also disclose any Ex-Parte communications you may have had with any Board member. Board members must also do the same.

A. 8995 Collins – Architecturally Significant Determination

A RESOLUTION OF THE DESIGN REVIEW BOARD OF THE TOWN OF SURFSIDE, FLORIDA, DETERMINING THAT THE STRUCTURE LOCATED AT 8995 COLLINS AVENUE IS ARCHITECTURALLY SIGNIFICANT PURSUANT TO THE STANDARDS AND CRITERIA OF SECTION 90-33 OF THE TOWN OF SURFSIDE ZONING CODE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

5. Adjournment

PLANNING & ZONING BOARD

1. Call to Order/Roll Call

2. Commissioner Daniel Gielchinsky- Town Commission Liaison Report

3. Planning and Zoning Board Member – Sustainability Subcommittee Liaison Report

4. Approval of Minutes – March 30, 2017

5. Quasi-Judicial Application:

Please be advised that the following items on the Agenda are Quasi-Judicial in nature. If you wish to object or comment upon an item, please complete a Public Speaker’s Card indicating the Agenda item number on which you would like to comment. You must be sworn in before addressing the Board and you may be subject to cross-examination. If you refuse to submit to cross-examination, the Board will not consider your comments in its final deliberation. Please also disclose any Ex-Parte communications you may have had with any Board member. Board members must also do the same.

A. Casa de Jesus Special Exception Request

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING AND ZONING BOARD; RECOMMENDING APPROVAL OF A SPECIAL EXCEPTION WITH CONDITIONS TO PERMIT AN AFTER-SCHOOL PROGRAM AT CASA DE JESUS, INC. LOCATED AT 228 89TH STREET IN THE TOWN OF SURFSIDE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

6. Ordinance:

A. Temporary Signs

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ARTICLE VI “SIGNS” OF “CHAPTER 90 ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; SPECIFICALLY AMENDING SECTION 90-69 “DEFINITIONS”; SPECIFICALLY AMENDING SECTION 90-74 “TEMPORARY SIGNS”; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

7. Discussion Items:

- A. Pedestrian Circulation – Verbal Update**
- B. Sea Level Rise Request to Commission**
- C. Summer Schedule**
- D. Future Agenda Items**

8. Adjournment

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT www.townofsufsidefl.gov.

TWO OR MORE MEMBERS OF TOWN COMMISSION OR OTHER TOWN BOARDS MAY ATTEND AND PARTICIPATE AT THIS MEETING.

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.



**TOWN OF SURFSIDE
DESIGN REVIEW BOARD
AND
PLANNING AND ZONING BOARD
MINUTES
MARCH 30, 2017
7:00 PM**

Town Hall Commission Chambers – 9293 Harding Ave., 2nd Floor
Surfside, Florida 33154

DESIGN REVIEW BOARD

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 7:03 p.m.

2. ROLL CALL

Recording Clerk Frantza Duval called the roll with the following members present: Chair Lindsay Lecour, Vice Chair Judith Frankel, Board Member Jorge Gutierrez, Board Member Brian Roller and Board Member Gregg Covin. Board Member Richard Iacobacci and Board Member Peter Glynn were absent. Commissioner Daniel Gielchinsky attended as liaison.

3. APPROVAL OF MINUTES: February 23, 2017

Board Member Gutierrez made a motion to approve. The motion received a second from Vice Chair Frankel and all voted in favor with Board Members, Glynn and Iacobacci absent.

4. DESIGN REVIEW BOARD APPLICATIONS:

A. Request of the Owner of Property located at 9400 Harding Avenue (Publix)

The applicant is requesting two (2) non-illuminated wall signs for the existing Publix retail store.

Town Planner Sarah Sinatra presented the item.

Board Member Gutierrez made a motion to approve with the following conditions:

- 1) The wall face should be reconditioned and painted where non-conforming signs have been removed.
- 2) Proposed signs shall be off-set from the wall a minimum of one-quarter inch to a maximum of two inches to permit rain water to flow down the wall face.

The motion received a second from Board Member Roller and all voted in favor with Board Members, Glynn and Iacobacci absent.

B. Request of the Owner of Property located at 9429 Harding Avenue (UPS)

The applicant is requesting two (2) illuminated wall signs for a UPS retail store – (1) is the business name; and (2) is the corporate logo.

Town Planner Sarah Sinatra presented the item.

Board Member Gutierrez made a motion to approve with the following conditions:

- 1) A detail should be submitted to confirm the logo sign qualifies as a channel letter sign;
- 2) Proposed signs shall be off-set from the wall a minimum of one quarter into a maximum of two inches to permit rain water to flow down the wall face;
- 3) The wall face should be reconditioned and cleaned as necessary;

The motion received a second from Board Member Roller and all voted in favor with Board Members, Glynn and Iacobacci absent.

C. Request of the Owner of Property located at 8901 Abbott Avenue

The applicant is requesting a four-foot high picket style fence along the east portion of their property to enclose the yard.

Town Planner Sarah Sinatra presented the item. The applicant Dan Goldman spoke in support of the item and answered questions from the Board.

Board Member Roller made a motion to approve with the following conditions:

- 1) All landscaping shall be placed within the property, not in the right of way.
- 2) The landscaping shall be placed on the exterior of the fence.

The motion received a second from Board Member Gutierrez and all voted in favor with Board Members, Glynn and Iacobacci absent.

5. ADJOURNMENT

There being no further business to come before the Design Review Board the meeting adjourned at 7:13 p.m.

Accepted this ____ day of _____, 2017

Chair Lindsay Lecour

Attest:

Sandra Novoa, MMC
Town Clerk



MEMORANDUM

To: Design Review Board
Thru: Guillermo Olmedillo, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: April 27, 2017
Re: 8818 Froude Avenue– Garage Conversion

The property is located at 8818 Froude Avenue, within the H30B zoning. The applicant is requesting to convert their garage to additional living space.



Staff has reviewed the current application for consideration by the Design Review Board. In this report Staff presents the following:

- Applicable Zoning Code regulations, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.50 Architecture and roof decks

Wall openings	10% for all elevations	All facades meet or exceed the 10% minimum wall opening requirement.
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Sec. 90-50.1 (5) Garage Facades

Required	Proposed
1 window	1 window on the front elevation and a door and window of the north elevation.
Landscaping required along the base	Landscaping has not been provided. A condition of approval has been added.

Sec. 90-77 Off-street Parking Requirements

Required	Minimum Space Requirements	Proposed
Single-family	2 spaces	2 spaces are provided, however the curb cut appears to be larger than 18 feet. A condition of approval has been added.

Windows and Trims

Required	Proposed
Window styles should always be consistent among all elevations of a building.	Consistent.
Frame materials should never vary on a single building.	No variation.
Window, door and eave trim should be consistent on all elevations of the house	Consistent.

RECOMMENDATION

Staff recommends approval with the following conditions:

1. Landscaping shall be placed in front of the converted garage.
2. The curb cut shall be no greater than 18 feet in width.



MEMORANDUM

To: Design Review Board
Thru: Guillermo Olmedillo, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: April 27, 2017
Re: 8830 Byron Avenue

The property is located at 8830 Byron Avenue, within the H30B zoning district. The applicant is proposing to enclose the 185 square foot front covered porch and other interior renovations to the existing single family house. The proposed location of the front door will be moved, several windows will be added to the front, and several windows will be eliminated on the north elevation of the house. In addition, a rear door will be moved to allow for a powder room to be added.



Staff has reviewed the current application for consideration by the Design Review Board. In this report Staff presents the following:

- Applicable Zoning Code regulations, along with the results of the review
- Applicable Design Guidelines standards, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS
Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.43 Maximum building heights

Height	Required Maximum	Proposed
H30B	30 feet	9 feet to the top of the beam.

Sec. 90-45. Setbacks

Setbacks	Required	Proposed
Primary Frontage	Minimum 20 feet	No change to setback, applicant shall provide survey to confirm setback.
Interior side (lots over 50 feet in width)	Minimum 10% of the frontage (7.5 feet)	N/A
Rear	Minimum 20 feet	N/A

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 feet	75 feet
Minimum lot area	5,600 feet	8,437.5 square feet
Maximum lot coverage	40%	33.06%
Pervious area	35% (minimum)	54.05%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Unique Elevation	A unique elevation from the main buildings of the adjacent two (2) homes shall be created through the modulation of at least three (3) of the following architectural features: (a)Length, width and massing of the structure; (b)Number of stories; (c)Façade materials; (d)Porches and other similar articulation of the front façade; (e)Number and location of doors and windows; and (f)Roof style and pitch.	The façade materials will remain as is with stucco and brick veneer. A door and windows are added.
Wall openings	10% for all elevations	Exceeds 10%
Roof Material	(a) Clay Tile; (b) White concrete tile; (c) Solid color cement tile which color is impregnated with the same color intensity throughout,	The existing roof remains which is clay tile.

	<p>provided said color if granted approval by the Design Review Board;</p> <p>(d) Architecturally embellished metal if granted approval by the Design Review Board; or</p> <p>(e) Other Florida Building Code approved roof material(s) if granted approval by the Design Review Board.</p>	
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Town of Surfside Adopted Residential Design Guidelines

Building Massing

Required	Proposed
Building forms should be varied enough to avoid monotony and to avoid pyramidal massing and should be compatible with surrounding houses.	Consistent

Main Entries

Required	Proposed
Prominent and oriented to the street	Main entry is now oriented to the side, however the treatment of the columns remains which gives the appearance of an entry.
Rendered in appropriate scale for the block as well as the individual building	The neighborhood is comprised of both one story and two story structures. This is in scale with the neighboring properties.
Entry feature should not extend above the eave line of the structure	The entry feature does not extend above the eave line.
Should not be obstructed from view by fences, landscaping or other visual barriers	Main entry is not obstructed from view.

Decorative Features

Required	Proposed
Decorative features should be stylistically consistent throughout the entire building.	Consistent.

Overall Architectural Style

Required	Proposed
The overall style of each house should be consistent on all sides of the building, as well as among all portions of the roof.	Consistent.

Wall Materials and Finishes

Required	Proposed
The same material should be used on all building elevations unless multiple materials are a legitimate expression of the particular style.	Consistent

Roof Materials, Types, and Slopes

Required	Proposed
Roof types and slopes should be generally the same over all parts of a single building.	Existing, Consistent
Restricted materials for roofs are pre-determined in the Town's Building Code, which restricts roofing materials to: <ol style="list-style-type: none"> 1. Clay tile; 2. White concrete tile; 3. Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color is first approved by the planning and zoning board; and 4. Metal. 	Existing Clay Tile

Windows and Trims

Required	Proposed
Window styles should always be consistent among all elevations of a building.	Consistent.
Frame materials should never vary on a single building.	No variation.
Window, door and eave trim should be consistent on all elevations of the house	Consistent.

RECOMMENDATION

Staff recommends approval with the condition that the applicant provide a survey with the building permit package.



MEMORANDUM

To: Design Review Board
Thru: Guillermo Olmedillo, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: April 27, 2017
Re: 8934 Abbott Avenue– Addition and Garage Conversion

The property is located at 8934 Abbott Avenue, within the H30B zoning. The applicant is requesting a 96.25 square foot addition to the west side of the house as well as a 125 square foot addition to the rear of the property. Also included is a request to convert the garage to additional living space.



Staff has reviewed the current application for consideration by the Design Review Board. In this report Staff presents the following:

- Applicable Zoning Code regulations, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.43 Maximum building heights

Height	Required Maximum	Proposed
H30B	30 feet	Less than 30 feet

Sec. 90-45. Setbacks

Setbacks	Required	Proposed
Primary Frontage	Minimum 20 feet	25 feet
Interior side (lots over 50 feet in width)	Minimum 10% of the frontage (7.5 feet)	7.7 feet
Rear	Minimum 20 feet	33 feet

Sec. 90.49 Lot standards

Lot Standards H30B	Required	Proposed
Minimum Lot width	50 feet	75 feet
Minimum lot area	5,600 feet	8,437.5 square feet
Maximum lot coverage	40%	31%
Pervious area	35% (minimum)	54%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Unique Elevation	A unique elevation from the main buildings of the adjacent two (2) homes shall be created through the modulation of at least three (3) of the following architectural features: (a)Length, width and massing of the structure; (b)Number of stories; (c)Façade materials; (d)Porches and other similar articulation of the front façade; (e)Number and location of doors and windows; and (f)Roof style and pitch.	The façade will not be modified other than to add a window replacing a garage door.
Wall openings	10% for all elevations	By replacing the garage door with a window, additional wall openings have been provided.
Roof Material	(a) Clay Tile; (b) White concrete tile; (c) Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color if granted	The existing roof remains which is clay tile.

	approval by the Design Review Board; (d)Architecturally embellished metal if granted approval by the Design Review Board; or (e)Other Florida Building Code approved roof material(s) if granted approval by the Design Review Board.	
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Sec. 90.50 Architecture and roof decks

Wall openings	10% for all elevations	The rear addition is proposed to have glass sliding doors and the front façade will have a window replacing a garage door, which increases the windows from the existing conditions.
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Sec. 90-50.1 (5) Garage Facades

Required	Proposed
1 window	1 window on the front elevation (south) and 1 window on the east elevation.
Landscaping required along the base	Landscaping has been provided.

Sec. 90-77Off-street Parking Requirements

Required	Minimum Space Requirements	Proposed
Single-family	2 spaces	2 spaces are provided.

Windows and Trims

Required	Proposed
Window styles should always be consistent among all elevations of a building.	Consistent.
Frame materials should never vary on a single building.	No variation.
Window, door and eave trim should be consistent on all elevations of the house	Consistent.

RECOMMENDATION

Staff recommends approval.



MEMORANDUM

To: Design Review Board
 Thru: Guillermo Olmedillo, Town Manager
 From: Sarah Sinatra Gould, AICP, Town Planner
 CC: Linda Miller, Town Attorney
 Date: April 27, 2017
 Re: 9551 Harding Avenue – Araxi Burger

The subject property is located at 9551 Harding Avenue and is within the SD-B40 zoning district. The applicant is requesting one (1) illuminated wall signs for a proposed Araxi Burger Restaurant. The applicant is proposing acrylic faced channel letters on a push-through sign.

Staff has reviewed the current application for consideration by the Design Review Board. In this report, Staff presents the following:

- Applicable Zoning Code regulations, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90-73

Signs	Permitted	Proposed
Area	25 square feet	24.78 square feet
Approved word content	Signs may include the following: 1) Trade name of establishment 2) Logo of the establishment 3) Nature of business, services rendered or 4) Products sold on premises.	Sign consists of the trade name and logo of the establishment (verification needed).
Prohibited Word Content	Signs may not include the following: 1) Phone numbers; 2) Any reference to price, except as provided in regards to “window sign.”	No phone number No reference to price



<p>Location</p>	<p>With the exception of theater marquees and V-box signs, no sign shall be erected so that any portion thereof shall project over a dedicated street or sidewalk or so that any portion thereof shall project more than five feet from any main building wall.</p>	<p>Sign does not project over the sidewalk or street.</p>
<p>Illumination</p>	<p>All signage, lettering, logos or trademarks shall be required to be lit with white illumination from dusk to dawn. The illumination may be either internal illumination or external illumination, however, all walls below the sign shall be illuminated with white wall wash LED lighting. It shall be located and directed solely at the sign. The light source shall not be visible from or cast into the right-of-way, or cause glare hazards to pedestrians, motorists, or adjacent properties.</p>	<p>Proposed sign utilize internal LED illumination.</p>

RECOMMENDATION

Staff recommends approval subject to the following conditions:

- 1) Proposed sign shall be off-set from the wall a minimum of one quarter inch to a maximum of two inches to permit rain water to flow down the wall face;
- 2) The wall face should be reconditioned and painted as necessary;
- 3) At time of building permit, applicant will need to verify and supply trademark information to confirm all proposed text is part of the company's logo.



MEMORANDUM

To: Design Review Board
 Thru: Guillermo Olmedillo, Town Manager
 From: Sarah Sinatra Gould, AICP, Town Planner
 CC: Linda Miller, Town Attorney
 Date: April 27, 2017
 Re: 9526 Harding Avenue – Esmell

The subject property is located at 9526 Harding Avenue and is within the SD-B40 zoning district. The applicant is requesting one (1) illuminated channel letter wall sign, one (1) window sign and one (1) rear non-illuminated sign for a proposed salon.

Staff has reviewed the current application for consideration by the Design Review Board. In this report, Staff presents the following:

- Applicable Zoning Code regulations, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90-73

Signs	Permitted	Proposed
Area	45 square feet	44.5 square feet
Approved word content	Signs may include the following: 1) Trade name of establishment 2) Logo of the establishment 3) Nature of business, services rendered or 4) Products sold on premises.	Sign consists of the trade name and logo of the establishment.
Prohibited Word Content	Signs may not include the following: 1) Phone numbers; 2) Any reference to price, except as provided in regards to “window sign.”	No phone number No reference to price



<p>Location</p>	<p>With the exception of theater marquees and V-box signs, no sign shall be erected so that any portion thereof shall project over a dedicated street or sidewalk or so that any portion thereof shall project more than five feet from any main building wall.</p>	<p>Sign does not project over the sidewalk or street.</p>
<p>Illumination</p>	<p>All signage, lettering, logos or trademarks shall be required to be lit with white illumination from dusk to dawn. The illumination may be either internal illumination or external illumination, however, all walls below the sign shall be illuminated with white wall wash LED lighting. It shall be located and directed solely at the sign. The light source shall not be visible from or cast into the right-of-way, or cause glare hazards to pedestrians, motorists, or adjacent properties.</p>	<p>Proposed sign utilize internal LED illumination.</p>
<p>Permanent window sign</p>	<p>One primary sign may be applied to the inside or outside surface of any one glass window or door or displayed within 12 inches of a glass window or door. Such signs shall only be permitted on primary and side street level frontages. Sign area inclusive of logos or trademarks shall not exceed 20 percent of the area of the glass window or door in which the sign is displayed. Lettering shall not exceed eight inches in height. Acceptable materials include painted gold leaf or silver leaf, silk-screened, cut or polished metal, cut or frosted vinyl, and etched glass.</p>	<p>The proposed lettering is less than six inches in height. The overall sign is less than 20% of the window. The sign has a golf overlay.</p>

RECOMMENDATION

Staff recommends approval subject to the following conditions:

- 1) Proposed sign shall be off-set from the wall a minimum of one quarter inch to a maximum of two inches to permit rain water to flow down the wall face;
- 2) The wall face must be reconditioned and painted as necessary.



MEMORANDUM

To: Design Review Board
Thru: Guillermo Olmedillo, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: April 27, 2017
Re: 9072 Carlyle Avenue– Garage Conversion

The property is located at 9072 Carlyle Avenue, within the H30B zoning. The applicant is requesting to convert their garage to additional living space.



Staff has reviewed the current application for consideration by the Design Review Board. In this report Staff presents the following:

- Applicable Zoning Code regulations, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90-50.1 (5) Garage Facades

Required	Proposed
1 window	1 window
Landscaping required along the base	Landscaping has not been provided. A condition of approval has been added.

Sec. 90-77 Off-street Parking Requirements

Required	Minimum Space Requirements	Proposed
Single-family	2 spaces	1 space is provided. A condition of approval has been added.

Windows and Trims

Required	Proposed
Window styles should always be consistent among all elevations of a building.	Consistent.
Frame materials should never vary on a single building.	No variation.
Window, door and eave trim should be consistent on all elevations of the house	Consistent.

RECOMMENDATION

Staff recommends approval with the following conditions:

1. Landscaping shall be placed in front of the converted garage.
2. A two car driveway (18 X 18) shall be provided and has been confirmed by the applicant.



DRB Meeting	___/___/20__
Application / Plans Due	___/___/20__

**TOWN OF SURFSIDE
ARCHITECTURAL SIGNIFICANT APPLICATION**

A complete submittal includes all items on the "Architectural Significant Application Submission Checklist" document as well as completing this application in full. The owner and agent must sign the application with the appropriate supplemental documentation attached. Please print legibly in ink or type on this application form.

PROJECT INFORMATION	
OWNER'S NAME	<u>Surf House Ocean Views, LLC</u>
PHONE / EMAIL	<u>see agent</u>
AGENT'S NAME	<u>Graham Penn</u>
ADDRESS	<u>200 S. Biscayne Blvd., Suite 850 Miami FL 33131</u>
PHONE / EMAIL	<u>305 377 6229 / gpenn@brzoninglaw.com</u>
PROPERTY ADDRESS	<u>8995 Collins Avenue</u>

INTERNAL USE ONLY			
Date Submitted	_____	Project Number	_____
Report Completed	_____	Date	_____
Fee Paid	\$ _____		

SUBMITTAL REQUIREMENTS FOR REVIEW:

- Completed "Architectural Significant Application" form
- Application fee: \$12,000.00 made out to "Town of Surfside"
- Ownership Affidavit
- Recent photographs of the subject property and all abutting, diagonal and fronting properties visible from the street (to be provided prior to Design Review Board Meeting)

PLEASE PROVIDE THE FOLLOWING:

- An available link of the site plan in PDF format, or other common windows based format
- Provide fifteen (15) reduced sized sets (11" x 17" sheets) and two (2) full size sets (24 x 36)
- Site Plan
- Elevation
- Analysis of the architectural qualities of the existing structure prepared by a licensed architect, demonstrating why the building is consistent with the Code's definition of an architecturally significant building

NA 3/10/17
SIGNATURE OF OWNER DATE

[Signature] 3/10/17
SIGNATURE OF AGENT DATE

RESOLUTION NO. 17 - _____

A RESOLUTION OF THE DESIGN REVIEW BOARD OF THE TOWN OF SURFSIDE, FLORIDA, DETERMINING THAT THE STRUCTURE LOCATED AT 8995 COLLINS AVENUE IS ARCHITECTURALLY SIGNIFICANT PURSUANT TO THE STANDARDS AND CRITERIA OF SECTION 90-33 OF THE TOWN OF SURFSIDE ZONING CODE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

I. RECITALS.

WHEREAS, Surf House Ocean Views, LLC (“Applicant”), Owners of the property located at 8995 Collins Avenue with a general location of the east side of Collins Avenue south of 90th Street, Surfside, FL, (the “Property”) submitted an application to the Town of Surfside, Florida (the “Application”) on March 10, 2017, requesting that the Town Design Review Board find the existing multifamily structure located on the Property (“Structure”) is “architecturally significant” pursuant to Section 90-33 of the Town Zoning Code; and

The Application is on file and may be examined in the Building Department entitled Surf House Ocean Views, LLC.

Legal Description: See attached Attachment “A” “Legal Description” of the Property

ADDRESS: 8995 Collins Avenue, Surfside, FL 33154

WHEREAS, the Application included an Architectural Significance Report by Arthur J. Marcus Architect, P.A., which describes the existing multifamily condominium structure known as Surf House is architecturally significant as an example of the Miami Modern architectural style (Attachment “B”); and

WHEREAS, the Town engaged the architectural firm of Synalovski Romani Saye to review the aforesaid Architectural Significance Report, and the firm issued its review report on April 7, 2017 (Attachment “C”) recommending that the Structure meets the criteria of the Zoning Code as an Architecturally Significant Building in the Miami Modern style; and

WHEREAS, on April 27, 2017, the Design Review Board, at a duly noticed and televised quasi-judicial public hearing, after reviewing the Application and hearing from its professional staff, the Applicant, and members of the public, considered the requirements of the Town Zoning Code and the substantial competent evidence presented at the hearing.

NOW THEREFORE, BE IT RESOLVED BY THE DESIGN REVIEW BOARD OF THE TOWN OF SURFSIDE, FLORIDA, APPLICABLE TO APPLICANT, ITS SUCCESSORS AND/OR ASSIGNS, AS FOLLOWS:

II. INCORPORATION OF RECITALS AND FINDINGS OF FACT.

- A. All recitals set forth above are incorporated into the body of this Resolution as if same were fully set forth herein.
- B. The Design Review Board finds that the Structure at 8995 Collins Avenue meets the requirements and criteria set forth in Section 90-33 of the Town Code as an Architecturally Significant Building in the Miami Modern style.

III. SEVERABILITY CLAUSE.

In the event any portion or section of this Resolution is determined to be invalid, illegal or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no way affect the remaining portions of this Resolution, which shall remain full force and effect.

IV. EFFECTIVE DATE.

This Resolution shall become effective upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2017.

Motion by _____,

Second by _____.

FINAL VOTE ADOPTION:

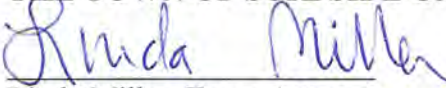
Member Jorge Gutierrez	_____
Member Gregg Covin	_____
Member Peter Glynn	_____
Member Richard Iacobacci	_____
Member Brian Roller	_____
Vice Chair Judith Frankel	_____
Chair Lindsay Lecour	_____

Lindsay Lecour, Chair

ATTEST:

Sandra Novoa, MMC
Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICENCY FOR
THE TOWN OF SURFSIDE ONLY:**



Linda Miller, Town Attorney

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

I, Sandra Novoa, MMC, Town Clerk of the Town of Surfside, Florida, do hereby certify that the above and foregoing is a true and correct copy of Resolution No.17 - _____ adopted by the Town Design Review Board at its meeting held on the _____ day of _____, 2017.

Issued: _____

Sandra Novoa, MMC, Town Clerk

Attachment "A"

Lots 1 and 2, Block 1-A, SECOND AMENDED PLAT OF NORMANDY BEACH, according to the plat thereof recorded in Plat book 16, Page 44 of the Public Records of Miami-Dade County, Florida.

AND

A Parcel of land lying Easterly of and adjacent to Lots 1 and 2. Block 1-A SECOND AMENDED PLAT OF NORMANDY BEACH, according to the plat thereof recorded in Plat Book 16, Page 44 of the Public Records of Miami-Dade County, Florida and Westerly of the Erosion Control Line as shown on the Erosion Control Line according to the plat thereof as recorded in Plat Book 105 at Page 62 of the Public Records of Miami-Dade County, more particularly described as follows:

Begin at Northeast corner of said Lots 1 and 2, thence run North $86^{\circ}50'51''$ along the Easterly extension of the North line of said Lots 1 and 2 for a distance of 93.90 feet to a point on the Erosion Control Line as shown on said Plat Book 105 at Page 62; thence run South $05^{\circ}37'30''$ East, along said Erosion Control Line for a distance of 72.83 feet to a point on the Easterly extension of the South line of said Lots 1 and 2; thence run South $86^{\circ}50'51''$ West, along the aforesaid Easterly extension of said Lots 1 and 2, for a distance of 93.40 feet to the Southeast corner of said Lots 1 and 2; thence run North $06^{\circ}00'58''$ West, along the Easterly line of said lots 1 and 2, for a distance of 72.85 feet to the Point of Beginning.

Said Parcel containing 6814 square feet more or less.



DIRECT LINE: (305) 377-6229
E-MAIL: gpenn@brzoninglaw.com
www.brzoninglaw.com

March 9, 2017

VIA HAND DELIVERY

Sarah Sinatra, AICP
Town Planner
Town of Surfside
9293 Harding Avenue
Surfside, FL 33154

Re: Architectural Significance Application for 8995 Collins.

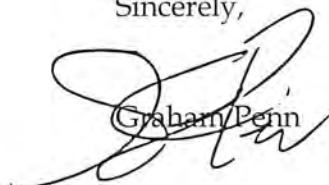
Dear Ms. Sinatra:

Our firm represents Surf House Ocean Views, LLC (the "Applicant") in connection with the redevelopment of 8995 Collins Avenue (the "Property"). As you know, the Property is currently developed with the Miami Modern-designed Surf House condominium. The Applicant proposes to renovate and expand the building under the terms of the newly adopted "architectural significance" criteria for existing buildings in H-120 zone.

In order to initiate that process, we are hereby filing an application for a Design Review Board determination that the existing building is architecturally significant. I am attaching the Applicant's comprehensive architectural significance report, which details the building's consistency with the code standards. If there are additional materials needed, please let us know.

We look forward to your review. If you have any questions or concerns regarding this letter, please do not hesitate to phone my direct line at (305) 377-6229 or send me an email at gpenn@brzoninglaw.com.

Sincerely,



Graham Penn



DRB Meeting	___/___/20__
Application / Plans Due	___/___/20__

**TOWN OF SURFSIDE
ARCHITECTURAL SIGNIFICANT APPLICATION**

A complete submittal includes all items on the "Architectural Significant Application Submission Checklist" document as well as completing this application in full. The owner and agent must sign the application with the appropriate supplemental documentation attached. Please print legibly in ink or type on this application form.

PROJECT INFORMATION	
OWNER'S NAME	<u>Surf House Ocean Views, LLC</u>
PHONE / EMAIL	<u>see agent</u>
AGENT'S NAME	<u>Graham Penn</u>
ADDRESS	<u>200 S. Biscayne Blvd., Suite 850 Miami FL 33131</u>
PHONE / EMAIL	<u>305 377 6229 / gpenn@brzoninglaw.com</u>
PROPERTY ADDRESS	<u>8995 Collins Avenue</u>

INTERNAL USE ONLY			
Date Submitted	_____	Project Number	_____
Report Completed	_____	Date	_____
Fee Paid	\$ _____		

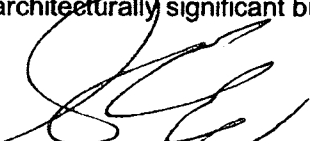
SUBMITTAL REQUIREMENTS FOR REVIEW:

- Completed "Architectural Significant Application" form
- Application fee: \$12,000.00 made out to "Town of Surfside"
- Ownership Affidavit
- Recent photographs of the subject property and all abutting, diagonal and fronting properties visible from the street (to be provided prior to Design Review Board Meeting)

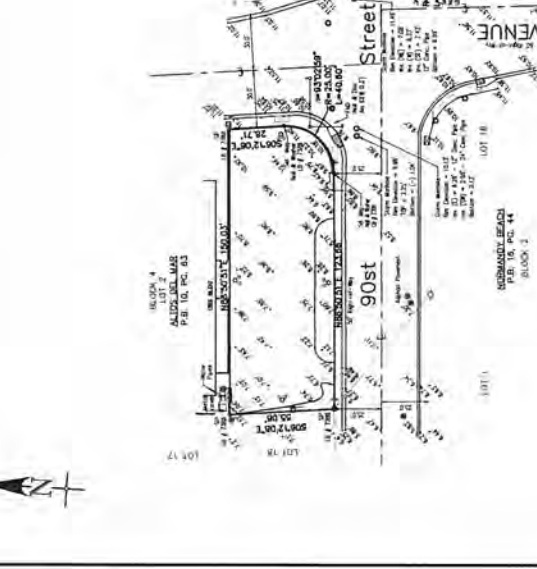
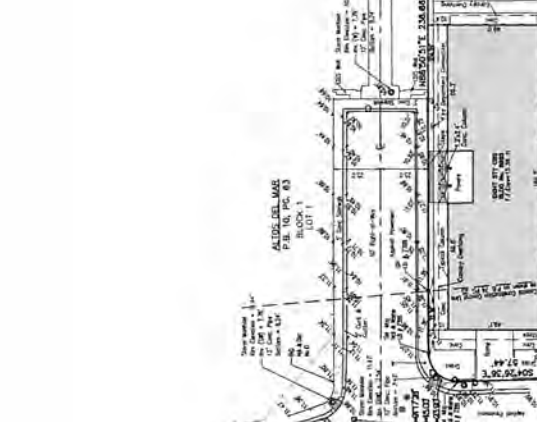
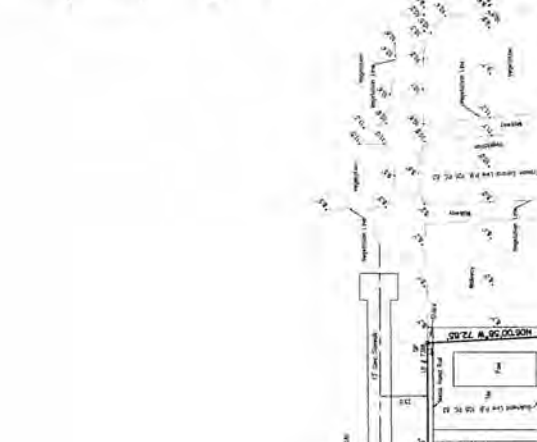
PLEASE PROVIDE THE FOLLOWING:

- An available link of the site plan in PDF format, or other common windows based format
- Provide fifteen (15) reduced sized sets (11" x 17" sheets) and two (2) full size sets (24 x 36)
- Site Plan
- Elevation
- Analysis of the architectural qualities of the existing structure prepared by a licensed architect, demonstrating why the building is consistent with the Code's definition of an architecturally significant building

 3/10/17
SIGNATURE OF OWNER DATE

 3/10/17
SIGNATURE OF AGENT DATE

BOUNDARY SURVEY



**8995 COLLINS AVENUE
SURSIDE, FLORIDA**



Owner:	8995 COLLINS AVENUE
Project:	2792
Drawn by:	DLB
Scale:	1"=20'
Block:	1-4
Sheet:	2792.01

8995 COLLINS AVENUE, SURSIDE, FLORIDA
State of Florida

This document is prepared only for the specific purpose and client for which it was prepared.

8995 COLLINS AVENUE, SURSIDE, FLORIDA
State of Florida

CERTIFIED PARTIES:
Surf House Group, Inc., a Florida limited liability company,
Andrea Rustin & Roberts, PA
5411 American Turnpike, Suite 200
Surfside, Florida, FL 33154

SURVEYOR'S CERTIFICATE:
This is to certify that the work named hereon was done by me or persons that the I am duly licensed and qualified to do so. I have personally supervised and directed the work to the level of my knowledge and belief as surveyed and plotted under my direction on August 21, 2015. I further certify that this survey was made in accordance with the Florida Statutes, Chapter 475, Florida Statutes, and the rules and regulations of the Florida Board of Professional Surveyors and Mappers pursuant to Chapter 475.037 Florida Statutes.
Triangle Surveying & Mapping, Inc.

LEGAL DESCRIPTION:
Lots 1 and 2, Block 1-4, SECOND AMENDED PLAT OF NORWANDY BEACH, recorded in Public Records of Miami-Dade County, Florida, Book 16, Page 44 of the Public Records of Miami-Dade County, Florida, and Block 1, LOT 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 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992, 993, 994, 995, 996, 997, 998, 999, 1000.

This survey was prepared for the use of the parties to whom it is issued and is not to be construed as a representation of the land surveyor's opinion as to the accuracy of the data furnished to him. This surveyor extends no warranty as to the accuracy of the data furnished to him.

11/05/2015, 11:05 AM

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11/05/2015, 11:05 AM

ARCHITECTURAL SIGNIFICANCE REPORT

FOR

8995 COLLINS AVENUE

SURFSIDE, FLORIDA

BY

ARTHUR J. MARCUS ARCHITECT P.A.

FOR

JMH DEVELOPMENT INC.

FEBRUARY 2, 2017

ARCHITECTURAL SIGNIFICANCE REPORT

FOR

8995 COLLINS AVENUE

SURFSIDE, FLORIDA

PREPARED BY:

ARTHUR J. MARCUS ARCHITECT P. A.
HISTORIC PRESERVATION CONSULTANT
1800 NORTH ANDREWS AVENUE #7F
FORT LAUDERDALE, FLORIDA 33311
web: www.arthurmarcus.com
email: arthur.marcus444@att.net

FOR

JMH DEVELOPMENT INC.
184 KENT AVENUE
BROOKLYN, NEW YORK 11249

For presentation to the:

TOWN of SURFSIDE
9293 HARDING AVENUE
SURFSIDE, FLORIDA 33154



February 2, 2017

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LETTER FROM ARCHITECT

ANALYSIS of ARCHITECTURAL SIGNIFICANCE

This report intends to show that 8995 Collins Avenue in Surfside, Florida is an architecturally significant building per the Town of Surfside ordinance # 16- xxxxx.

(3) (a) (1) This report constitutes the analysis of the architectural qualities of the existing structure as prepared by a licensed Architect, demonstrating why the building is consistent with the Code's definition of an architecturally significant building.

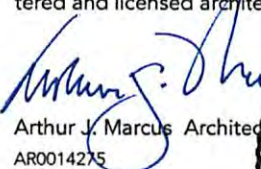
(3) (a) The building is a representative example of the MiMo architectural style and incorporates the typical characteristics of its architectural style to be deemed architecturally significant as described for the individual elements listed below.

Per the ordinance, the elements of the MiMo (Miami Modern) architectural style which are present in the building at 8995 Collins Avenue include the following:

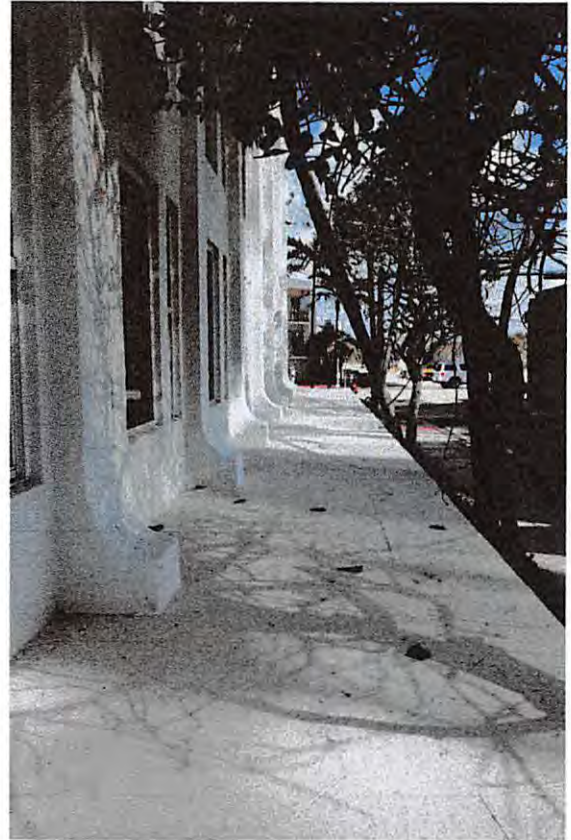
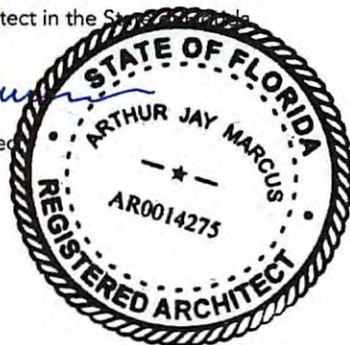
- (A) Use of concrete block or exposed concrete.
- (B) Use of asymmetry, acute angles, boomerang shapes, cut-outs, pylons, arches, geometric shapes, repetitive motifs or hyper-paraboloids.
- (C) Use of plate glass, ribbon, clerestory and canted windows.
- (F) Overhanging roof plates and projecting floor-slabs.
- (G) Exemplifies a regional style of architecture constructed in the post-war period.

The building has not been altered in a manner that substantially impacts the original building design or obscures the significant architectural elements in a manner that cannot be reversed without unreasonable expense.

(3) (b) (1) The proposed alteration or addition does not require demolition or alteration in a manner that would render the building no longer compatible with the existing building. I am a registered and licensed architect in the State of Florida.


Arthur J. Marcus Architect
AR0014275

February 2, 2017



DESIGNATION REQUEST

The applicant JMH Development Inc. requests the designation of 8995 Collins Avenue as a building of Architectural Significance. The property contains an eight-story multi-family residential building located at 8995 Collins Avenue (the "Property"). This request is per the Land Development Regulations and Zoning Map of the Town of Surfside, Florida (the "Town") for a designation of Architectural Significance.

DESIGNATION PROCESS

The process is described in the Ordinance included in this report..

GENERAL DESCRIPTION OF PROPERTY

The property is comprised of a rectangular lot located on the southeast corner of 90th & Collins Avenue in the Town of Surfside, Florida.

Folio Number: 14-2235-022-XXXX
The last four numbers relate to individual condominium units.

Sub-Division: Surf House Condo

Year Built: 1966

Architect: Robert Jerome Filer

PRESENT OWNER of the property is the applicant:
JMH Development Inc.

PRESENT USE: Former Multi-Family Condominium
awaiting redevelopment

PRESENT ZONING - 3000 Multi-Family - General

H-120





8995 COLLINS AVENUE
ARCHITECTURAL BACKGROUND

1

8995 COLLINS AVENUE

ARCHITECTURAL BACKGROUND

This report regarding the Architectural Significance of 8995 Collins Avenue in Surfside, Florida per the recent Town of Surfside Ordinance regarding the alteration or enlargement of non-conforming structures to permit alternatives for the redevelopment of existing Architecturally Significant buildings in thenTown of Surfside H-120 Zoning District..

The building was constructed in 1966 and was designed as the Surf House condominium by Robert Jerome Filer Architect in the MiMo - Miami Modern architectural style. Prior to this report this architect was unknown to the author. A search at the History Miami archives also revealed no additional information on this architect other than previous office locations in Coral Gables and Miami.

An internet search noted that the Architect (or his offspring) is currently conducting business as Filer & Hammond Architects based in Miami, Florida. The Architect was also noted as having received the 1984 American Institute of Architects Silver Medal for Design / Service.

The building is designed in the MiMo or Miami Modern style of architecture. This style includes buildings designed and constructed between roughly from the 1940's through the 1960's in the MiMo style.

The exuberant forms of MiMo buildings expressed a whimsey born in the excitement of the post-World War II years. Fueled by the increasingly imaginative use of high strength concrete mixes which allowed architects and designers to indulge their wildest dreams - as long as the Structural Engineer could keep it standing.

Buildings such as 8995 Collins Avenue are more imbued with the spirit of the International Style of strain mid-century modernism. Three sides of the building contain a grid of repetitive window patterns in a structural concrete frame which is expressed on the exterior.

The fourth or south facade is practically a blank wall. It appears to have been constructed to anticipate a future next door building height of at least the same height and width as 8995 Collins Avenue. However in this blank wall there is what appears to be a square opening at each floor which could serve as a future connection to a neighboring building.





THE ORDINANCE

ORDINANCE NO. 16-_____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING", AND SPECIFICALLY AMENDING SECTION 90-2 "DEFINITIONS" AND 90-33 "ALTERATION OR ENLARGEMENT OF NONCONFORMING STRUCTURES" TO PERMIT ALTERNATIVES FOR THE REDEVELOPMENT OF EXISTING ARCHITECTURALLY SIGNIFICANT BUILDINGS IN THE H120 ZONING DISTRICT; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside ("Town") proposes to amend its Code of Ordinances to address expansions to existing nonconforming architecturally significant structures in the H120 zoning district; and

WHEREAS, the Town desires to incentivize the preservation, renovation and enhancement of architecturally significant buildings on H120 zoned lots by amending the provisions governing nonconforming structures; and

WHEREAS, the Town proposes to provide an alternative development option for owners of buildings deemed architecturally significant; and

WHEREAS, the Town Commission held its first public hearing on XXXXX XX, 2016 having complied with the notice requirements required by Florida Statutes; and

WHEREAS, the Planning and Zoning Board, as the local planning agency for the Town, held its hearing on the proposed amendment on XXXX XX, 2016 with due public notice and input; and

WHEREAS, the Town Commission conducted a second duly noticed public hearing on these regulations as required by law on XXXXXX XX, 2016; and

WHEREAS, the Town Commission hereby finds and declares that adoption of this Ordinance is in the best interest of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AS FOLLOWS:

Section 1. Recitals. The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

Section 2. Code Amendment. The code of the Town of Surfside, Florida is hereby amended as follows:

Sec. 90-2. - Definitions.

* * *

Architecturally Significant Building: A building constructed prior to 1970 that has been determined by the Town, at the request of a property owner, to possess characteristics of a specific architectural style constructed in the Town pursuant to Section 90-33(3) of the Town Code. The exterior of the structure must be recognizable as an example of its style and/or period, and its architectural design integrity must not have been modified in a manner that cannot be reversed without unreasonable expense. The three recognized significant architectural styles in the Town are Mediterranean Revival, Streamline Modern, and Miami Modern.

* * *

Section 3. Code Amendment. The code of the Town of Surfside, Florida is hereby amended as follows:

Sec. 90-33. - Alterations or enlargement of nonconforming structures.

Except as provided in this section a nonconforming structure shall not be enlarged in any manner or undergo any structural alteration unless to make it a conforming structure. Such alteration or enlargement may be permitted provide that:

- (1) Enlargement or alteration itself conforms to the requirement of these regulations;
- (2) Building non-conformity only as to height area or floor area requirements may be altered or extended; enlarged so long as it does not increase the degree of non-conformity for the applicable district.
- (3) Alterations or additions to architecturally significant buildings on H120 zoned lots that are nonconforming as to setbacks may follow existing building lines as long as the alteration or addition maintains the architectural integrity of the existing building. The lesser of the current code-required setback or the existing building line shall be deemed to be the required setback line.

Any redevelopment project undertaken under this subsection must comply with the Town's minimum finished floor elevation requirements for all portions of the building and further must be designed and developed in accordance with Leadership in Energy &

Environmental Design (LEED) or Florida Green Building Coalition (FGBC) building design and construction standards.

Redevelopment projects seeking to utilize the setback exception of this subsection shall be limited to a total height of additional two (2) floors for every existing floor in a building, up to a maximum of 120 feet.

<u>Existing Building Floors</u>	<u>Maximum Number of Floors of Redevelopment/Expansion using Exception</u>
<u>1</u>	<u>2</u>
<u>2</u>	<u>4</u>
<u>3</u>	<u>6</u>
<u>4</u>	<u>8</u>
<u>5</u>	<u>10</u>
<u>6 and above</u>	<u>12</u>

(a) Determinations of Architectural Significance. Determinations of architectural significance will be made as follows:

(1) All requests for a determination of architectural significance must be made by a property owner in writing on the forms promulgated by the Town. As part of the determination application, a property owner will submit an analysis of the architectural qualities of the existing structure prepared by a licensed architect, at the property owner's expense, demonstrating why the building is consistent with the Code's definition of an architecturally significant building. This analysis shall be accompanied with other materials deemed necessary by the Town Manager or designee to accommodate the review, including, but not limited to, all available data and documentation regarding the building, site, features, or other considerations by the Town Manager or designee.

(2) The Town Manager or designee will review the analysis prepared by the property owner and issue a recommendation as to whether the building meets the Town's standards of architectural significance. The property owner shall be responsible for the Town's costs associated with this review, including the fees charged by any necessary consultants, such amounts shall be determined by the Town Planner and held in escrow by the Town.

(3) Determinations of architectural significance will be made by the Design Review Board, after public hearing, based on the following requirements.

(a) The building must be deemed to be a representative example of its architectural style. In order to qualify as a representative example, a building must incorporate at least two of the typical characteristics of its architectural style to be deemed to be architecturally significant or, alternatively, must have been designed by an architect well-known for the style in South Florida. Elements of the relevant styles are as follows:

i. Miami Modern.

- (A) Use of concrete block or exposed concrete.
- (B) Use of asymmetry, acute angles, boomerang shapes, cutouts, pylons, arches, geometric shapes, repetitive motifs or hyperparaboloids.
- (C) Use of plate-glass, ribbon, clerestory and canted windows.
- (D) The mixture of two or more textured surfaces.
- (E) Use of brise-soleils and architectural screen block.
- (F) Overhanging roof plates and projecting floor slabs.
- (G) Exemplifies a regional style of architecture constructed in the post-war period.

ii. Streamline Modern.

- (A) Building forms that evoke automobiles, trains, ocean liners, and airplanes.
- (B) Massing that reflects abstract, simplified forms with rounded corners devoid of much applied decoration.
- (C) Horizontal compositions, bands of windows, racing stripes, and flat roofs.
- (D) Use of vitrolite, glass block, chrome, stainless steel, and terrazzo.
- (E) "Eyebrow" ledges over the windows, front porches.
- (F) Use of nautical motifs like porthole windows, and bas-relief panels depicting tropical scenes.

iii. Mediterranean Revival.

- (A) Use of bell towers, awnings, porches, balconies, carved stonework.
- (B) Style reflects the architectural influences of the Mediterranean coast: Italian, Byzantine, French, and Moorish themes from southern Spain.
- (C) Application of Spanish baroque decoration to openings, balconies, and cornices.
- (D) Use of arches, parapets, twisted columns, pediments, and other classical details.
- (E) Use of stucco walls, red tile roofs, wrought iron grilles and railings, wood brackets and balconies.
- (F) Use of casement windows.

(b) The building must have not been altered in a manner in that substantially impacts the original building design or obscures the

significant architectural elements in a manner that cannot be reversed without unreasonable expense.

(c) Significant exterior architectural characteristics, features, or details of the building remain intact.

(b) Alterations to Architecturally Significant Buildings. Any alteration proposed for a building on H120 zoned lots determined by the Design Review Board to be architecturally significant will be reviewed by the Town Manager or his designee and the Design Review Board to determine whether:

- i. The proposed alteration or addition does not require demolition or alteration in a manner that would render the building no longer architecturally significant; and
- ii. The proposed alteration or addition is designed in a manner that is compatible with the existing building.

(c) Site Plan review for Architecturally Significant Buildings. Any addition requiring a site plan that is proposed for a building determined by the Design Review Board to be architecturally significant will be reviewed by the Town Manager or designee, the Design Review Board, the Planning and Zoning Board, and the Town Commission to determine whether:

- i. The proposed alteration or addition does not require demolition or alteration in a manner that would render the building no longer architecturally significant; and
- ii. The proposed alteration or addition is designed in a manner that is compatible with the existing building.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 5. Inclusion in the Code. It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "Ordinance" may be changed to "Section" or other appropriate word.

Section 6. Conflicts. Any and all Ordinances and Resolutions or parts of Ordinances or Resolutions in conflict herewith are hereby repealed.

Section 7. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND ADOPTED on first reading this __ day of _____, 2016.

PASSED AND ADOPTED on second reading this __ day of _____, 2016.

On Final Reading Moved by: _____

On Final Reading Second by: _____

FINAL VOTE ON ADOPTION:

Commissioner Daniel Gielchinsky _____
Commissioner Michael Karukin _____
Commissioner Tina Paul _____
Vice Mayor Barry Cohen _____
Mayor Daniel Dietch _____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, MMC, Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURSIDE ONLY:**

Linda Miller, Town Attorney



RELATION TO ORDINANCE CRITERIA
ARGUMENTS FOR ARCHITECTURAL SIGNIFICANCE

RELATION TO ORDINANCE CRITERIA

"Miami Modern, better known as MiMo, is a style of architecture from the post World War II era (1945 to mid-1960s) that originated in Miami and Miami Beach as a local adaptation of the various modernist architectural movements that flourished in other parts of the world." (2)

The resulting general elation of the population regarding the end of the war was reflected in the exuberant forms in the architecture. There were several strains of MiMo architecture.

8995 Collins Avneue is emblematic of the more restrained geometric patterns in MiMo architecture. The portions of the elevations without the aluminum shutter system on the west and north elevations reflect a more accurate representation of the building as originally designed & constructed.

An interplay of vertical column elements running vertically the full height of the building is augmented by the 'plaid' fenestration pattern. The window fenestration creates both vertical as well as horizontal ribbons of windows. Hidden within this pattern are different sized apartment units with different numbers of windows.

Although the aluminum shutter system added an interesting horizontal overlay to the design, these shutter systems nonetheless overwhelmed the original architectural design and changed it into something very different.

" MiMo buildings responded to the subtropical climate and the booming resort economy, adding glamour, fun, and material excess to otherwise stark, minimalist, and efficient styles. The predominant types of MiMo buildings in Miami Beach are the glamorous resort hotels (such as the Fontainebleau, Eden Roc and Deauville) and the modest garden style apartments and tourist lodgings that housed the burgeoning middle-class population. Both types feature playful MiMo architectural features like acute angles, delta wings, sweeping curved walls, and soaring pylons." (2)

"MiMo style buildings generally made extensive use of plate glass, poured concrete and special materials such as glass mosaic tile , architectural screen block, crab orchard stone, as well as expansive use of high-grade marble, and rare hardwoods on the public interiors. They often mixed two or more textured surfaces together (i.e. stucco with stone, brick, or tile, as well as contrasting smooth and patterned stucco surfaces). The style featured such dramatic elements as accordion-like folded plane roofs and walls, acute angles or subtle angles, dynamic parabolas, delta wing shapes, sweeping curved walls, and soaring pylons." (2)



ABOVE: 8995 COLLINS AVENUE (4)

The following pages discuss in detail the specific terms of the ordinance which we believe qualifies 8995 Collins Avenue for a determination of Architectural Significance.

The specific criteria cited in the Ordinance as they pertain to 8995 Collins Avneue are highlighted in all CAPS as follows:

- (A) Use of concrete block or EXPOSED CONCRETE.
- (B) Use of asymmetry, acute angles, boomerang shapes, cutouts, pylons, ARCHES, GEOMETRIC SHAPES, REPETITIVE MOTIFS or hyper-paraboloids.
- (C) Use of PLATE GLASS, ribbon, clerestory and canted windows.
- (F) OVERHANGING ROOF PLATES and projecting floor-slabs.
- (G) EXEMPLIFIES A REGIONAL STYLE of architecture constructed in the post-war period.

EXPOSED CONCRETE.

One of the unique aspects of the design of 8995 Collins Avenue is the emphasis upon its exposed concrete structure. Although they are painted, the structural components of the facade - the beams and columns - are also the major design elements of the building.

These structural components frame the expanses of glazing through floor to ceiling windows on three sides of the building, which take advantage of the expansive views of ocean, sky and beach..

The horizontal rectangular forms above each individual window bay are in fact attached to the face of the structure and house rolling storm shutter panels. It has not been ascertained whether these shutter systems were original to the building.

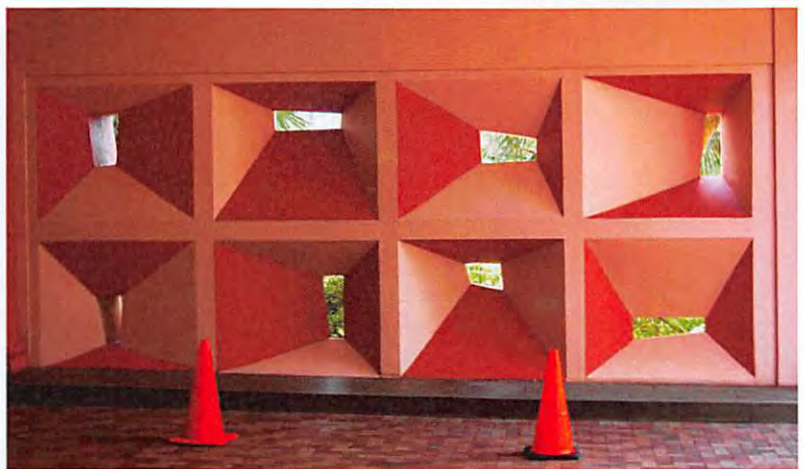
It is also interesting to note that 8995 Collins Avenue departs from the usual Modernist building language of pedestal and superstructure. Here the superstructure comes almost down to the ground, landing graciously on a raised concrete plinth which forms the base of the entire building.

TOP PHOTO: 8995 COLLINS AVENUE, SURFSIDE (4)

MIDDLE PHOTO: TRITON TOWERS, MIAMI BEACH (4)

BELOW RIGHT PHOTO: ALEXANDER HOTEL, MIAMI BEACH by
CHARLES McKIRAHAN ARCHITECT (4)

BELOW LEFT PHOTO: PIER 66 HOTEL, 1967 FORT LAUDERDALE (4)



ARCHES

The arches at 8995 Collins Avenue provides a consistent roof parapet design motif providing an overhanging roof plate on the east, west and north facades.

The arches motif is a recurrent feature of selected MiMO buildings as can be seen in the photographs on this page, including another example down Collins Avenue in Surfside:

TOP PHOTO: 8995 COLLINS AVENUE (4)

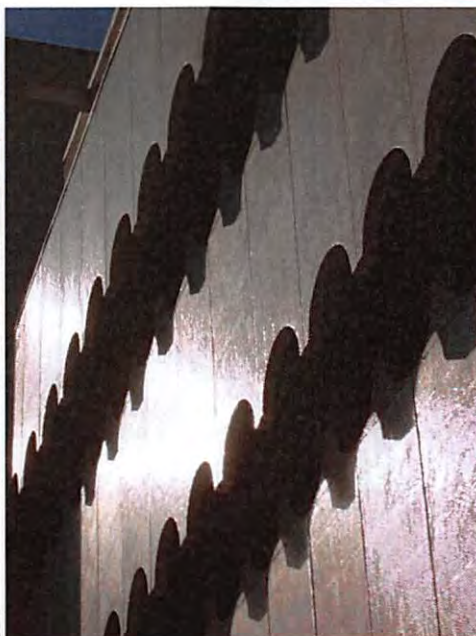
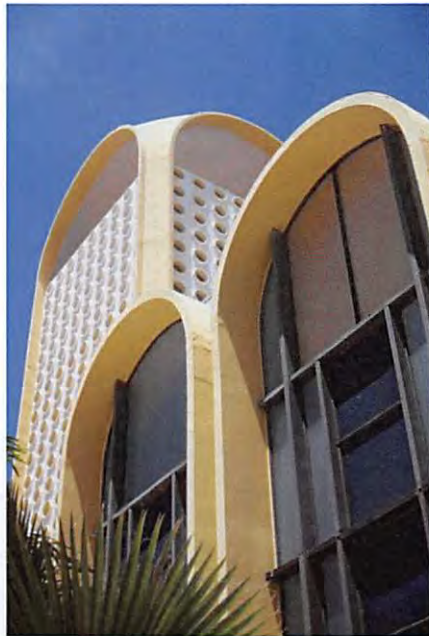
TOP MIDDLE PHOTO: 8801 COLLINS AVENUE, SURFSIDE (4)

LOWER MIDDLE PHOTO: ALEXANDER HOTEL ENTRANCE,
MIAMI BEACH by CHARLES McKIRAHAN ARCHITECT (4)

LOWER LEFT PHOTO: TEMPLE MENORAH MIAMI BEACH (4) by
GLBERT FEIN ARCHITECT (1951) &
MORRIS LAPIDUS ARCHITECT (1963)

LOWER MIDDLE PHOTO: FORMER ST. VINCENT'S HOSPITAL / O'TOOLE
BUILDING by ALBERT LENDER ARCHITECT (1964)
NEW YORK CITY (4)

LOWER RIGHT PHOTO: FONTAINEBLEAU HOTEL, MIAMI BEACH
by MORRIS LAPIDUS ARCHITECT (1953) (4)



GEOMETRIC SHAPES

The play of geometry informs all MiMo buildings. In many ways the structure of MiMo buildings also becomes the aesthetic expression. At 8995 Collins the interplay of the repetitive vertical fenestration pattern vs the horizontal arched parapet creates an interplay of geometric shapes.

The major geometric shapes at 8995 Collins Avenue are the window pattern and the parapet arches. And overhanging roof plate.

UPPER PHOTO: 8995 COLLINS AVENUE, SURFSIDE (4)

MIDDLE PHOTO: SURF CLUB APARTMENTS, SURFSIDE (4)

LOWER PHOTO: REGENT PALACE SURFSIDE by LEONARD GLASSER ARCHITECT (1951) (4)

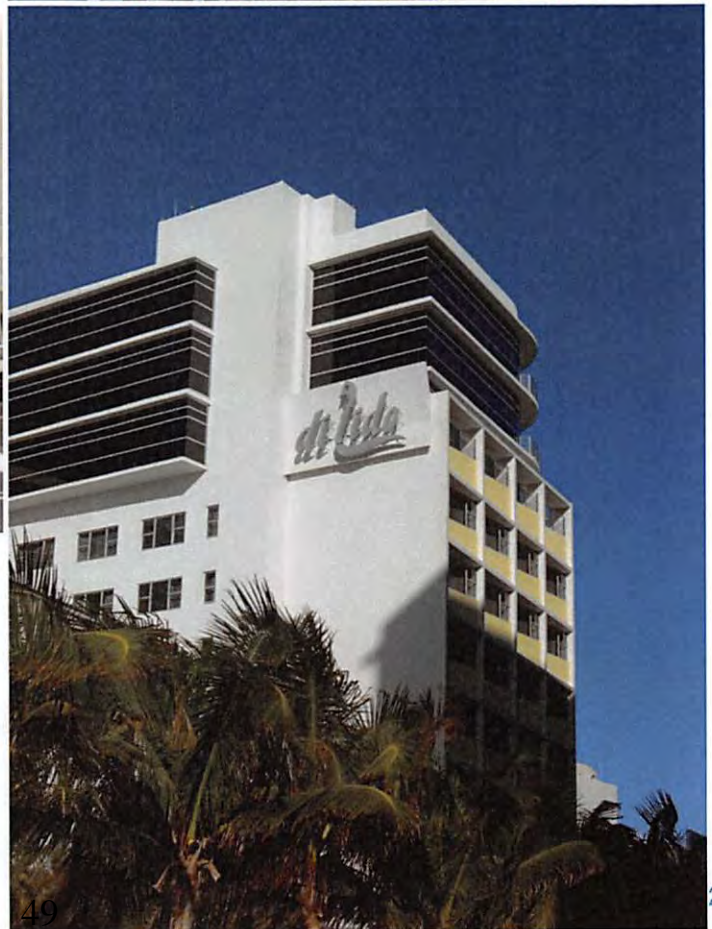


GEOMETRIC SHAPES

TOP RIGHT PHOTO: BAY HARBOR CONTINENTAL, (4)
BAY HARBOR ISLANDS BY
CHARLES MCKIRAHAN ARCHITECT

LOWER RIGHT PHOTO: DILIDO / RITZ CARLTON HOTEL, (4)
MIAMI BEACH BY MELVIN GROSSMAN WITH
MORRIS LAPIDUS ARCHITECTS (1953) WITH
1 LINCOLN ROAD CORNER BUILDING BY
IGOR POOLEVITSKY ARCHITECT AND UPPER
ADDITIONS BY NICHOLS BROSCHE
SANDOVAL ARCHITECTS WITH
ALLEN SHULMAN ARCHITECT (2000)

LOWER LEFT PHOTO: ZAYRE DISCOUNT DEPARTMENT
STORE (3) PROTOTYPE BY DON RIEFF
ARCHITECT, CIRCA 1950'S.



REPETITIVE MOTIFS

MiMo architecture incorporated repetitive motifs as a means of highlighting a portion of the structure as a major design element. Or as in the case of 8995 Collins Avenue - the unique repetitive motif defines three elevations of the structure.

These repetitive motifs are comprised of many design expressions - including asymmetry, geometric shapes and whimsy.

These repetitive motifs are typically delineated through the expression of the structure itself. This is one of the qualities of MiMo architecture - which set it apart from preceding architectural styles. In MiMo architecture the structure becomes the aesthetic.

TOP PHOTO: 8995 COLLINS AVENUE, SURFSIDE

MIDDLE PHOTO: SHELBORNE HOTEL, MIAMI BEACH

LOWER RIGHT PHOTO: FOUR SEASONS CONDOMINIUM, FORT LAUDERDALE

LOWER MIDDLE PHOTO: SHORE CLUB HOTEL, MIAMI BEACH

LOWER LEFT PHOTO: TEMPLE MENORAH, MIAMI BEACH



PLATE GLASS WINDOWS

"Thick sheets of high-quality glass were cast in broad plates and used in storefronts and hotel and motel lobbies. Steel-skeleton construction allowed for a generous use of glass, which became a hallmark of the International Style and a universal Modernist expression. In South Florida a truly modern use of glass was not widely achievable until the MiMo period." (1)

8995 Collins Avenue contains a unique window fenestration motif, composed of a tripartite division with the middle window being larger than the two at the sides. This original pattern can be seen best on the west facade where the shading systems have been removed.

TOP PHOTO: CRYSTAL HOUSE 5055 COLLINS AVENUE
by MORRIS LAPIDUS ARCHITECT,
MIAMI BEACH 1960

MIDDLE PHOTO ONE HENDRICKS ISLE,
CHARLES McKIRAHAN ARCHITECT
FORT LAUDERDALE (4)

LOWER RIGHT PHOTO: SANS SOUCI HOTEL, MIAMI BEACH
by MORRIS LAPIDUS ARCHITECT 1955 (3)

LOWER LEFT PHOTO: 8995 COLLINS AVENUE
INTERIOR VIEW OF WINDOWS



OVERHANGING ROOF PLATES

A hallmark feature of MiMo buildings is the overhanging roofline as can be seen on the photographs on this page. This horizontal roof element was utilized on all types and sizes of buildings. Sometimes as in Seacoast Towers at right this horizontal roof element could actually be the terrace railing with another floor set back from the main facade.

8995 Collins Avenue contains a taller roof parapet which is canted inwards in a series of arches accessorizing each elevation.

Other examples which follow on these two pages show lower flat roofed elements serving as major design elements on these buildings.



TOP PHOTO: 8995 COLLINS AVENUE

MIDDLE PHOTO: SEACOAST TOWERS, MIAMI BEACH by
MORRIS LAPIDUS ARCHITECT 1966

LOWER PHOTO: 9133 COLLINS AVENUE - SURF CLUB APART-
MENTS, SURFSIDE - ARCHITECT UNKNOWN (CIRCA 1950)



OVERHANGING ROOF PLATES

LOWER LEFT PHOTO: 7291 GARY AVENUE MIAMI BEACH

UPPER PHOTO: FORMER PAN AMERICAN AIRLINES TRAINING FACILITY, MIAMI INTERNATIONAL AIRPORT
BY STEWART SKINNER ARCHITECTS 1963

LOWER RIGHT PHOTO: NORTH SHORE BAND SHELL, MIAMI BEACH BY NORMAN GILBLR ARCHITECT (1957)



EXEMPLIFIES
A
REGIONAL STYLE
OF
ARCHITECTURE

(G) EXEMPLIFIES A REGIONAL STYLE OF ARCHITECTURE IN THE POST-WAR PERIOD

BECAUSE 8995 COLLINS AVENUE ALREADY EXEMPLIFIES THE PREVIOUSLY MENTIONED CRITERIA OF THE MIMO STYLE, IT FOLLOWS THAT THIS BUILDING THEN QUALIFIES AS AN EXAMPLE OF THIS PERIOD AND OF THIS STYLE.

THE BUILDINGS PICTURED ON THIS PAGE EXEMPLIFIES A VARIANT OF THE MID-CENTURY STYLE, ONE THAT WAS INSPIRED BY SUCH WORKS AS THE U. S. EMBASSY IN NEW DELHI, INDIA BY EDWARD DURELL STONE ARCHITECT IN 1954..

AT THE EMBASSY BUILDING-HEIGHT COLUMNS SUPPORT AN OVERHANGING ROOF. THE RECTANGULAR BAYS OF THE EMBASSY LATER MORPHED INTO ROUNDED ROOFTOP ENDS AS AT THE METROPOLITAN OPERA HOUSE AT LINCOLN CENTER IN NEW YORK CITY. (8)

IN FLORIDA THIS STYLE WAS FURTHER ADAPTED TO THE TROPICAL ENVIRONMENT BY THE RELATED STYLE OF THE BUILDINGS AT 301 ARTHUR GODFREY ROAD IN MIAMI BEACH AND 8995 COLLINS AVENUE. BOTH HAVE BUILDING-HEIGHT COLUMNS SUPPORTING A DECORATIVE ROW OF CONNECTED ARCHES AT THE ROOF PARAPET..

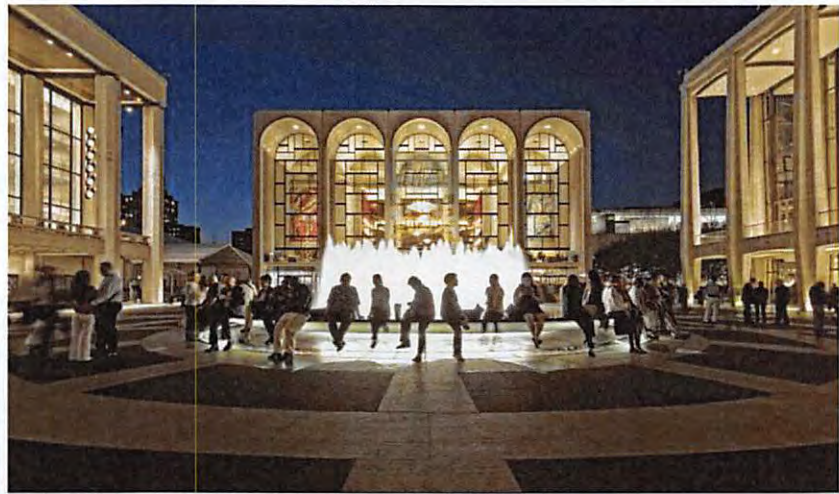


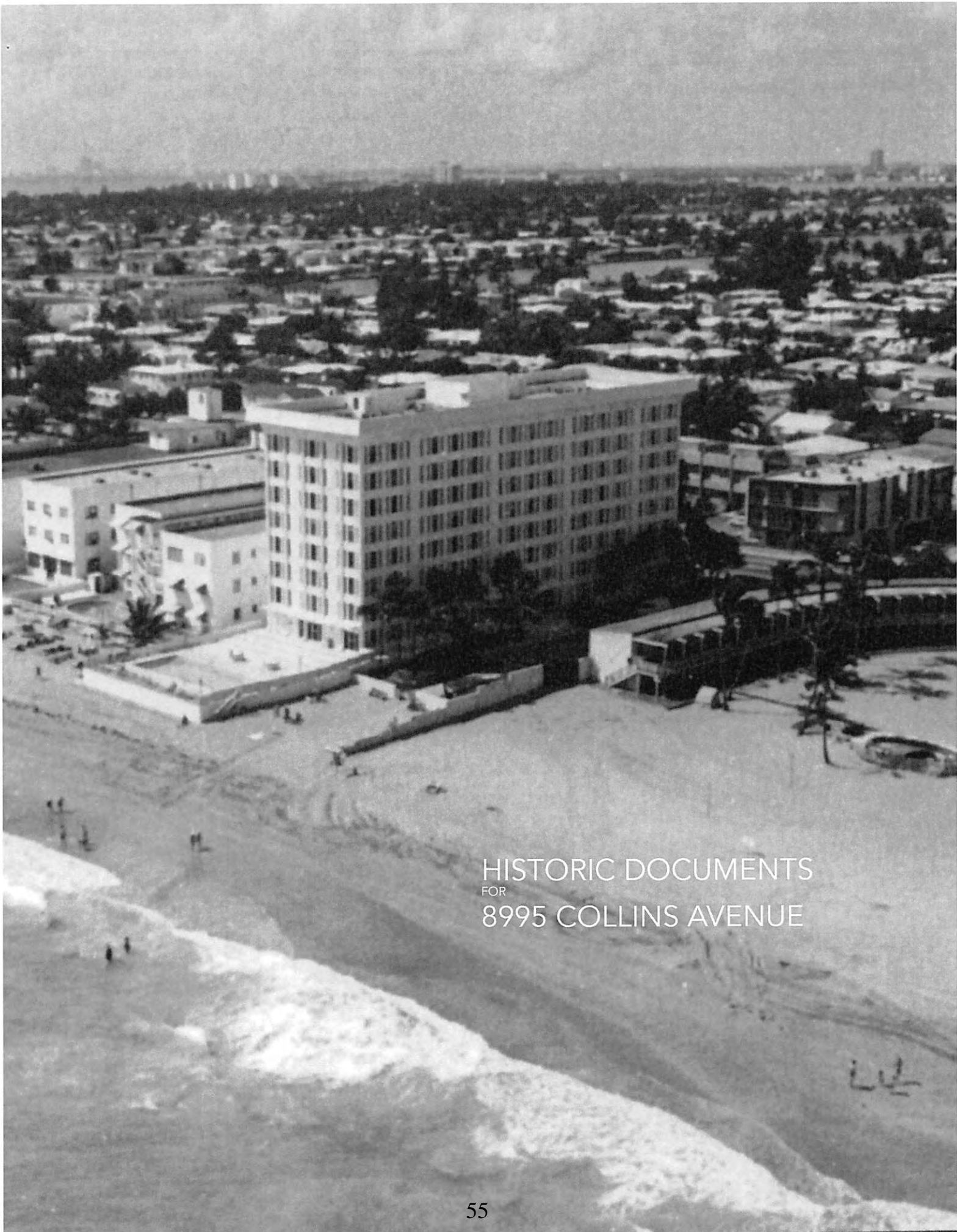
TOP RIGHT PHOTO: 301 ARTHUR GODFREY ROAD OFFICE BUILDING, MIAMI BEACH BY CHARLES GILLER ARCHITECT - 1963

MIDDLE RIGHT PHOTO: LINCOLN CENTER METROPOLITAN OPERA HOUSE, BY WALLACE K. HARRISON ARCHITECT OPENING IN 1966.

LOWER RIGHT PHOTO: U. S. EMBASSY IN NEW DELHI, INDIA BY EDWARD DURELL STONE ARCHITECT, 1954

LOWER LEFT PHOTO: 8995 COLLINS AVENUE





HISTORIC DOCUMENTS
FOR
8995 COLLINS AVENUE

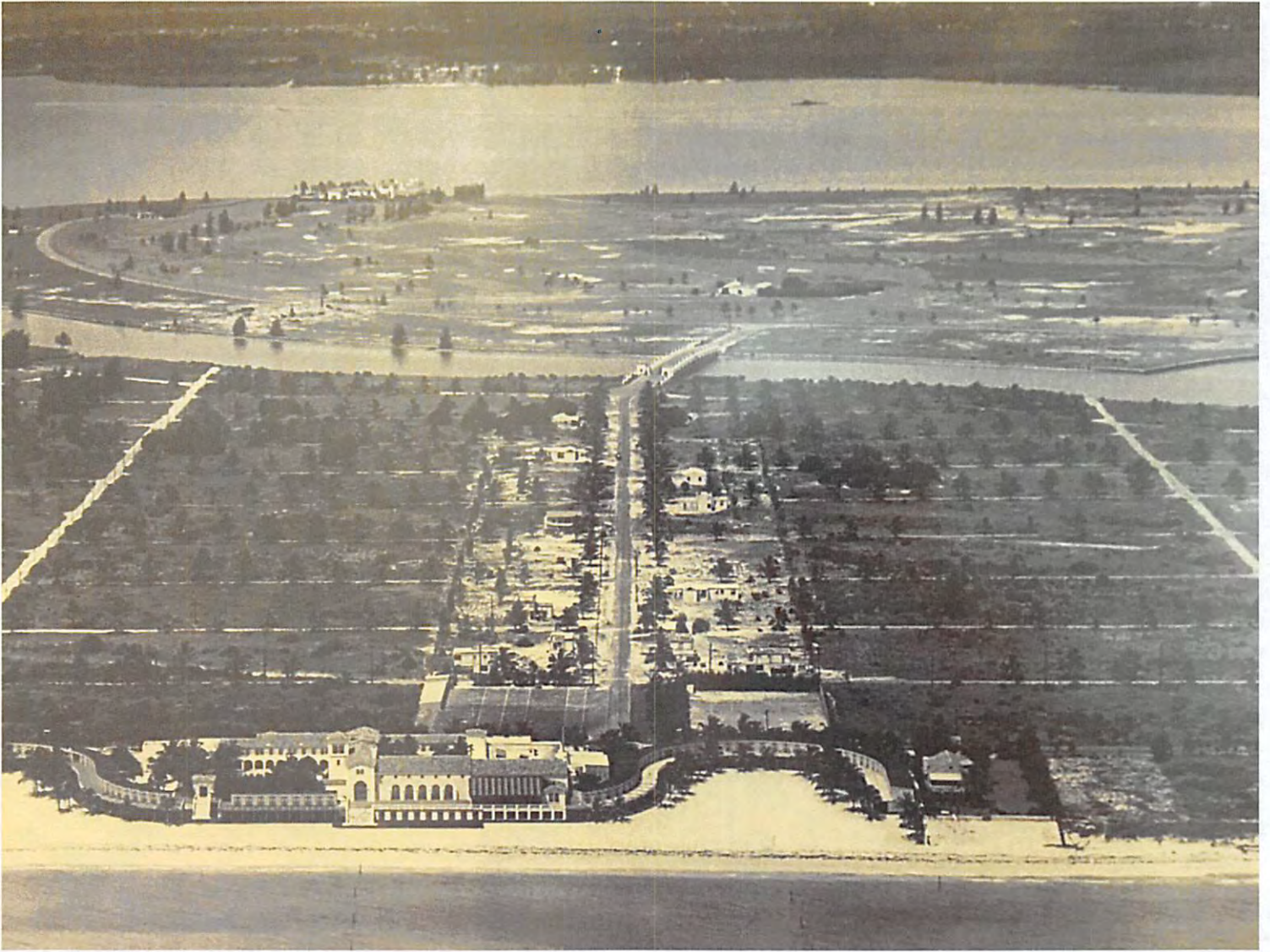


EXHIBIT "A" = CIRCA 1920'S AERIAL VIEW OF SURF CLUB IN FOREGROUND AND THE DEVELOPING TOWN OF SURFSIDE BEYOND. BAY HARBOR ISLANDS IS AT THE TOP OF THE PHOTO. (6)



EXHIBIT "B" - CIRCA 1950'S AERIAL PHOTOGRAPH OF SURF CLUB SHOWING STILL UNDEVELOPED PROPERTY DIRECTLY TO THE SOUTH FOR THE FUTURE 8995 COLLINS AVENUE. (6)

THE FORMERLY EXISTING BUILDING TO THE SOUTH AT 8955 COLLINS AVENUE - THE WINTER GARDEN CONDOMINIUM - WAS BUILT IN 1952 AND DESIGNED BY HERBERT MATHES ARCHITECT - AND CAN BE SEEN IN THIS PHOTOGRAPH.



EXHIBIT "C" - CIRCA 1970'S AERIAL VIEW OF 8995 COLLINS AVENUE AND ITS SURROUNDING NEIGHBORHOOD. (7)



EXHIBIT "D" - CIRCA 1960'S VIEW LOOKING SOUTH ON COLLINS AVENUE FROM IN FRONT OF THE SURF CLUB - WITH 8995 COLLINS AVENUE AT MID-PHOTO BEYOND. (6)



EXHIBIT "E" - CIRCA 1970'S VIEW LOOKING NORTH ALONG THE BEACH WITH THE BLANK SOUTH FACADE OF 8995 COLLINS AVENUE IN FOREGROUND AND THE SURF CLUB BEYOND. (6)

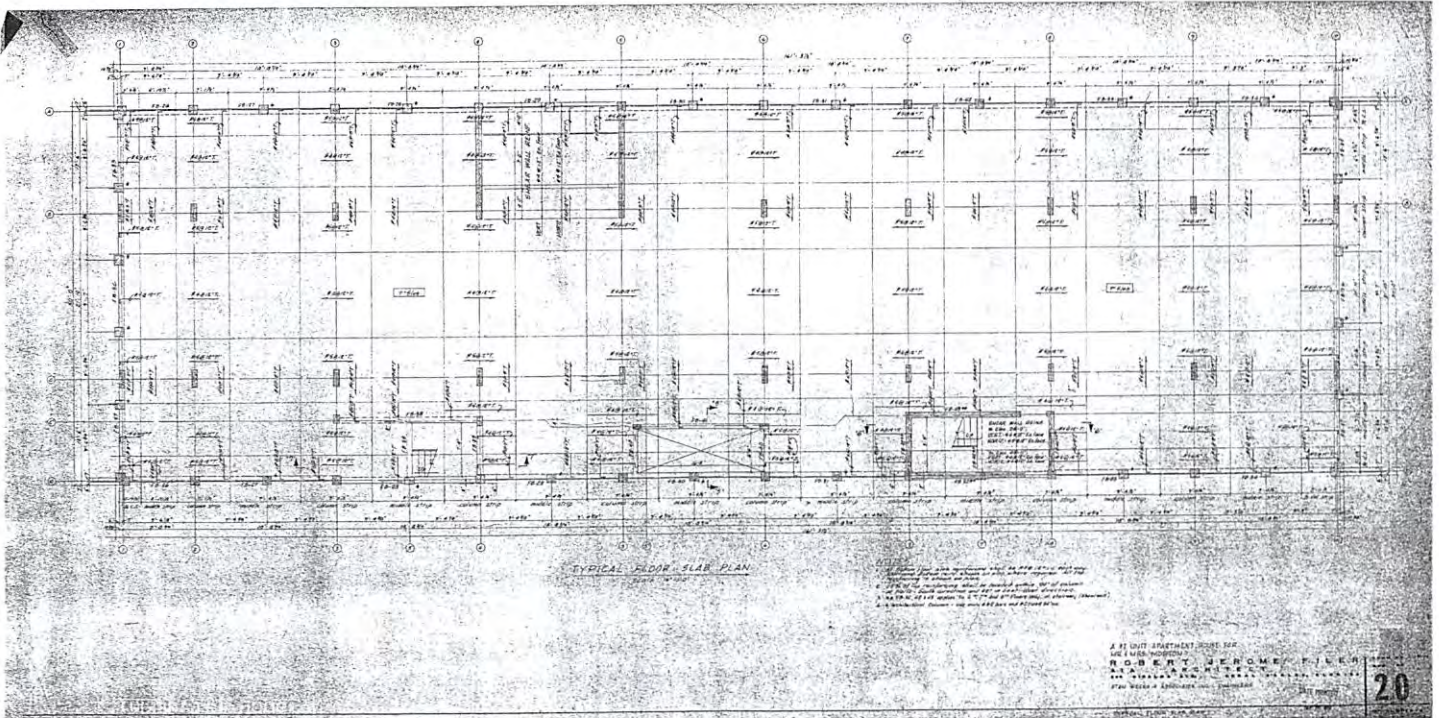
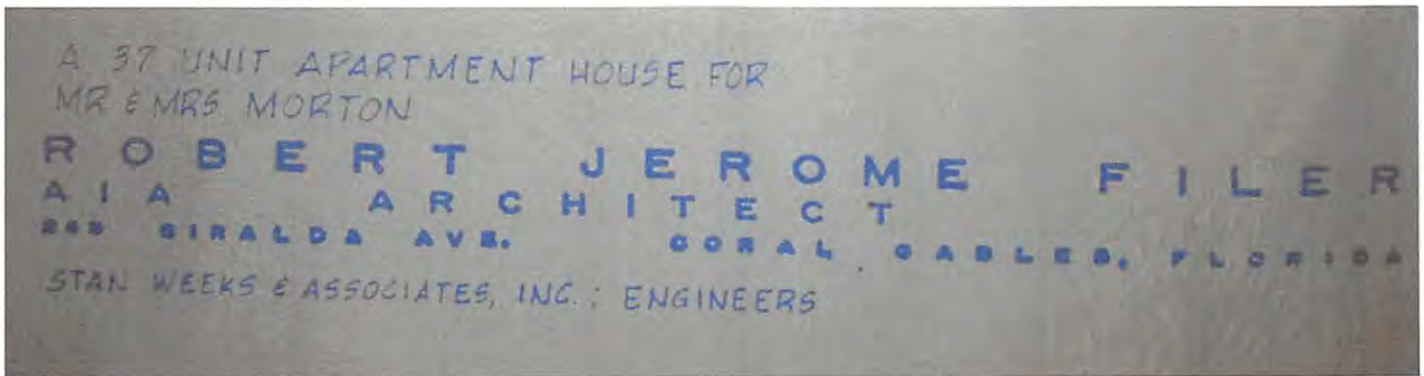


EXHIBIT "F" - ABOVE ORIGINAL TYPICAL FLOOR SLAB BY ROBERT JEROME FILER ARCHITECT. (5)

THE ARCHITECT'S TITLE BLOCK DETAIL IS BELOW. (5)



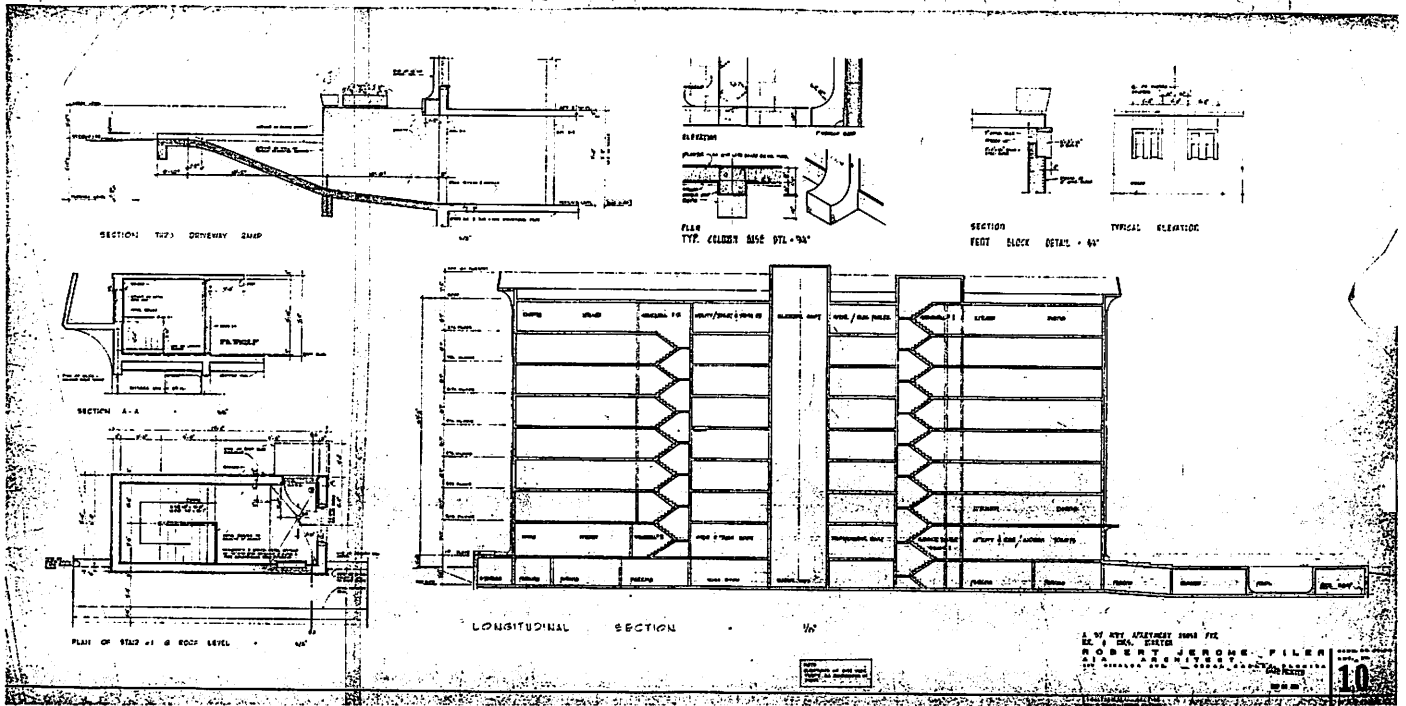


EXHIBIT "G" - ABOVE ORIGINAL LONGITUDINAL SECTION BY ROBERT JEROME FILER ARCHITECT. (5)



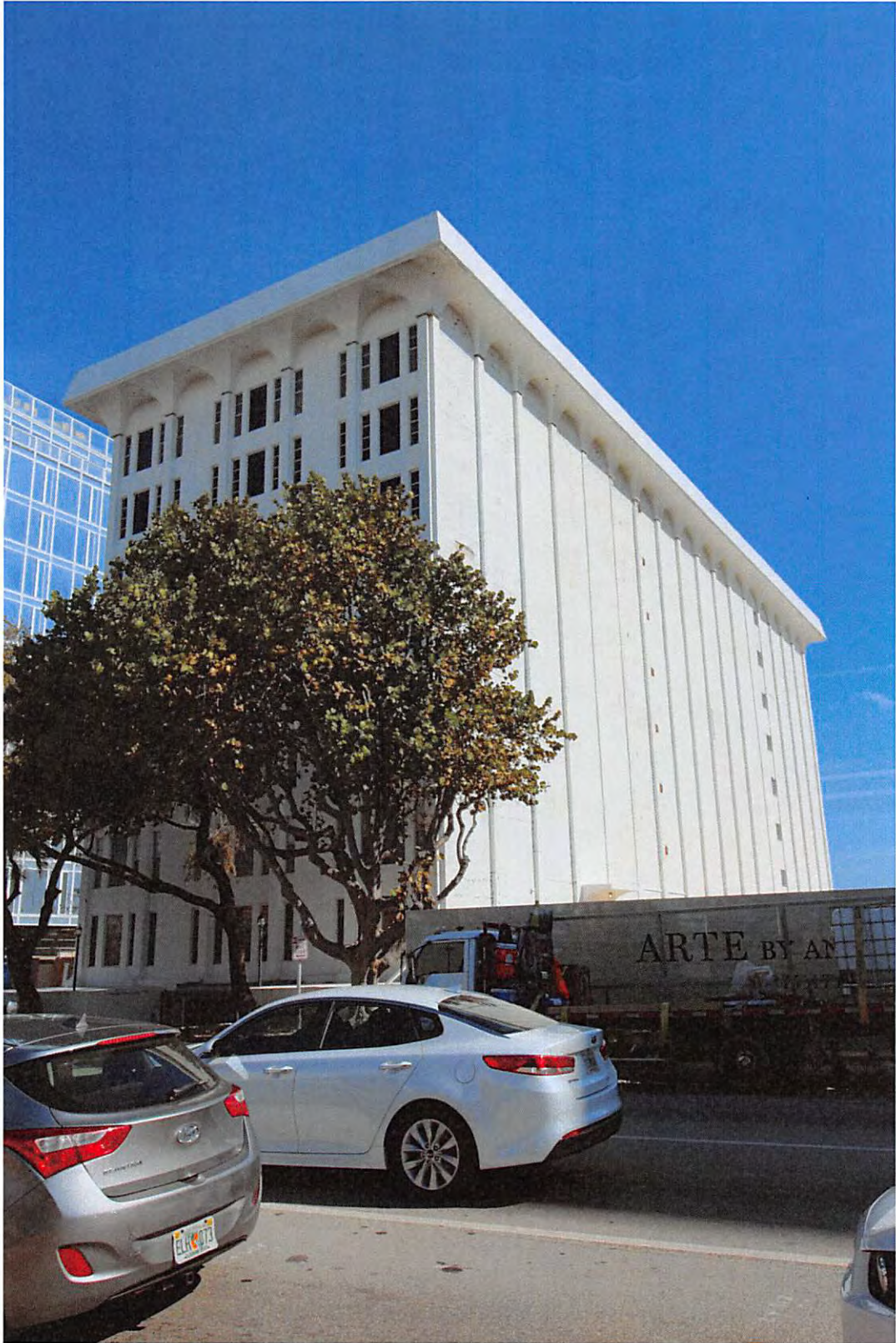
2017 PHOTOGRAPHS



PANORAMIC VIEW OF NORTH (LEFT) ELEVATION AND WEST ELEVATION (RIGHT)



EAST ELEVATION FROM THE BEACH



WEST ELEVATION (AT LEFT) AND THE BLANK
WALLED SOUTH ELEVATION AT RIGHT.



THE BUILDING SUPERSTRUCTURE COMES TO REST UPON A WIDE CONCRETE PLINTH THAT CONTAINS THE ENTIRE BUILDING.



MAIN ENTRANCE TO 8995 COLLINS AVENUE IS LOCATED MID-BLOCK AND ACCESSED VIA 90TH STREET.



DETAIL VIEW OF WINDOW PATTERN AND PARAPET ARCHES.



DETAIL VIEW OF WINDOW PATTERN



8995 COLLINS AVENUE FORM THE BEACH WITH THE EAST ELEVATION AT LEFT AND THE NORTH ELEVATION AT RIGHT.



INTERIOR RECEPTION LOBBY, 8995 COLLINS AVENUE

BIBLIOGRAPHY

- (1) MiMo: Miami Modern Revealed by
Eric P. Nash & Randall Robinson Jr., 2004, p.48
- (2) MiMo on the Beach: Futuristic, Flamboyant and Fun -Post
World War II Architecture on Miami Beach complete with
Woggles, Cheese Holes and Beanpoles by Miami Beach
Planning Department
- (3) Courtesy History Miami Historic Archives
- (4) Photograph copyright by Arthur Marcus
- (5) Document courtesy of the Town of Surfside Building Plans Ar-
chive
- (6) Photograph courtesy of History Miami Archives
- (7) Photograph from Images of America: Surfside by Seth H. Bram-
son, 2015
- (8) Miami Architecture AIA Guide by Allan T. Shulman + Randall C.
Robinson + James F. Donnelly, 2000, p. 308.





SYNALOVSKI ROMANIK SAYE
 Architecture • Planning • Interior Design

April 7, 2017

Sarah Sinatra, AICP
 Planning Department Director
 Town of Surfside
 9293 Harding Avenue
 Surfside, FL 33154

Subject: Review of Request for Determination of Architectural Significance
 8995 Collins Avenue, Surfside, Florida
 Project No. 08-1763.30

Dear Ms. Sinatra:

We have reviewed the application submitted by Bercow Radell & Fernandez for the above referenced property in the Town of Surfside. We have based our review on the Architectural Significance Report by Arthur J. Marcus Architect P.A. submitted with the application following the requirements for a Miami Modern style as established in Ordinance No. 16-1655 which amends Section 90-33 of the code of the Town of Surfside. Our review included searching for references and confirming the validity of the references included in the report.

Miami Modern architectural style, also referred to as MiMo, is now recognized as a regional style of architecture that was developed during the post-World War II period (1945-1969) as a response to the modernist International Style that developed worldwide during this period. Due to the location in southern Florida and client demands for the designs of resort hotels and other hospitality-related structures, the MiMo style steered away from the minimalist concepts of the international style to include "themes of glamour, fun and material excess".

The MiMo style flourished and proliferated in Middle and Upper Miami Beach, most notably along Collins Avenue, and in Miami, along Biscayne Boulevard, where the area roughly from 50th Street to 77th Street has been designated as the "MiMo Biscayne Boulevard Historic District", but additional MiMo architectural style buildings can be found in the Design District and Midtown.

The subject structure at 8995 Collins Avenue is somewhat distanced from these areas and constitutes an isolated but nevertheless worthy example of the aforementioned architectural style. We evaluated the Miami Modern criteria elements and their applicability for the subject property in the table below:

SYNALOVSKI ROMANIK SAYE
 Architecture • Planning • Interior Design

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 T 954.961.6806 • F 954.961.6807 • www.synalovski.com



Criteria Elements – Miami Modern					
		Arch Signif. Report	Yes	No	Remarks
(A)	Use of concrete block or exposed concrete	X		X	Concrete is painted, not exposed
(B)	Use of asymmetry, acute angles, boomerang shapes, cutouts, pylons, arches, geometric shapes, repetitive motifs or hyperparaboloids	X	X		Elements included
(C)	Use of plate-glass, ribbon, clerestory and canted windows	X	X		Subject to inspection. May be sheet glass.
(D)	The mixture of two or more textured surfaces			X	Not applicable
(E)	Use of brise-soleils and architectural screen block			X	Not Applicable
(F)	Overhanging roof plates and projecting floor slabs	X	X		Elements included
(G)	Exemplifies a regional style of architecture constructed in the post-war period	X	X		Elements included

The Ordinance No. 16-1655 of the Town of Surfside establishes that for a structure to be an architecturally Significant Building “the exterior of the structure must be recognizable as an example of its style and/or period, and its architectural design integrity must not have been modified in a manner that cannot be reversed without unreasonable expense”. Exterior storm shutters were at some point added on the East (beachside) and North side of the building for storm protection. The storm shutters compromise the architectural design integrity of the building but do not constitute a modification that cannot be reversed without unreasonable expense.

In order for a building to qualify as a representative example of its architectural style “a building must incorporate at least two of the typical characteristics of its architectural style”. The Architectural Significance Report lists Criteria Elements (A), (B), (C), (F) and (G) as compliant for the subject property. Our review has determined that Criteria Elements (B), (C), (F) and (G) are covered. Criteria Element (A), EXPOSED CONCRETE, has been determined to be non-compliant because the concrete is painted, not exposed.




Since only two (2) Criteria Elements are required for Determination of architectural significance, we recommend the building at 8995 Collins Avenue for designation as Architecturally Significant.

This review is for the Architecturally Significant application only and shall not be construed as a review of any proposal for development of the subject property. Synalovski Romanik Saye Architects will review any development plans and applications for this property upon request from the Town of Surfside Planning Department.

Should you have any questions or concerns regarding this review and recommendation, please contact the undersigned at (954) 961-6806 or via e-mail ediaz@synalovski.com, msynalovski@synalovski.com.

Respectfully,


Eduardo Diaz-Delucca
Architect
Synalovski Romanik Saye Architects


Manuel Synalovski, A.I.A.
Principal
Synalovski Romanik Saye Architects

PLANNING AND ZONING BOARD

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 7:13 p.m.

2. ROLL CALL

Recording Clerk Frantza Duval called the roll with the following members present: Chair Lindsay Lecour, Vice Chair Judith Frankel, and Board Member Brian Roller. Board Member Peter Glynn and Board Member Richard Iacobacci were absent. Commissioner Daniel Gielchinsky attended as liaison.

3. COMMISSIONER DANIEL GIELCHINSKY- TOWN COMMISSION LIASION REPORT

Commissioner Gielchinsky gave a brief update on the past two months.

4. PLANNING AND ZONING BOARD MEMBER – SUSTAINABILITY SUBCOMMITTEE LIASION REPORT

Board Member Roller attended the meeting and gave an update. Chair Lecour commented on LEED Certification and is in support of an equivalency of the LEED Certification. Town Planner Sinatra gave more details on LEED Certification and will bring back more information in the next two months. Vice Chair Frankel will attend the next meeting.

5. APPROVAL OF MINUTES: February 23, 2017

Vice Chair Frankel made a motion to approve. The motion received a second from Board Member Roller and all voted in favor with Board Members Glynn and Iacobacci absent.

6. ORDINANCE: Require Noticing of Residential Construction and Demolition

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 14 “BUILDING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; SPECIFICALLY AMENDING SECTION 14-28 “ISSUANCE OF BUILDING PERMITS.”; AMENDING CHAPTER 90 “ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; SPECIFICALLY AMENDING SECTION 90-19 “SINGLE-FAMILY AND TWO-FAMILY DEVELOPMENT REVIEW PROCESS.”; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Recording Clerk Frantza Duval read the title of the ordinance.

Town Planner Sinatra presented the item.

Town Attorney Miller asked if the sentence regarding the Town Commission Meeting date and time can be struck and Planner Sinatra said yes.

Vice Chair Frankel made a motion to forward to the Town Commission. The motion received a second from Board Member Roller and all voted in favor with Board Members Glynn and Iacobacci absent.

7. DISCUSSION ITEMS:

A. Pedestrian Connectivity

Town Manager Guillermo Olmedillo gave a power point presentation with a review and update of the item. The Board discussed the item and gave their views.

Chair Lecour opened the public hearing.

Public speakers:

-Clara Diaz-Leal spoke on the item and gave her views.

-Deborah Cimadevilla spoke on the item and had some questions.

-Victor May spoke about his concerns regarding traffic and is in support of gating the community.

-Vice Mayor Barry Cohen (speaking as a resident) is in favor of gating the community and spoke of the traffic issues facing residents.

-Galen Bakken is in favor of gating and gave his views on one-way streets.

No one else wishing to speak the public hearing was closed but will be open again after the Board discussion.

The Board discussed the item further taking into consideration the public comments. Vice Chair Frankel believes gating should be held as a separate item and gave her views on the traffic flow and her suggestions. Board Member Rollins suggested creating cul-de-sacs on 93rd and Byron with a park. He also is in favor of launching pads for kayaks. Chair Lecour suggested we have a test run and ask the Town Commission to invest the necessary resources to implement a pilot project of the alternating one-ways on 90th and 89th Streets including landscaping (the full streetscape).

Board Member Rollins made a motion to make a recommendation to the Commission to fund a project that allows a test consisting with the elevations in our package with 90th Street running one-way to the east and 89th Street running one-way to the west. The motion received a second from Vice Chair Frankel and all voted in favor with Board Members Glynn and Iacobacci absent.

Public speakers Clara Diaz Leal and Deborah Cimadevilla made some additional suggestions and comments.

B. Update on Miami Beach's Resiliency Criteria

Town Planner Sinatra gave an update and indicated more direction is needed and would come back with ballot language. Town Attorney Miller gave further details on procedure of a resolution.

C. Maximum Building Lengths and the Impact of New Development

Town Planner Sinatra gave an update.

Commissioner Gielchinsky left at 9:23 p.m.

Public Speakers:

- Commissioner Michael Karukin (speaking as a resident) asked that the Board reconsider massing that had been passed and feels it needs revision and to back it down to about 150 ft. He also gave his views on other various aspects of the item.
- Deborah Cimadevilla spoke about parking and parking stickers for residents.
- Victor May spoke about the parking issue and gave some suggestions.

Manager Olmedillo also spoke on the item giving further information to the Board. The Board agreed that further discussion is needed and it will be placed as a future agenda item.

D. Future Agenda Items

- Streetscape update
- Resiliency

5. ADJOURNMENT

There being no further business to come before the Planning and Zoning Board the meeting adjourned at 9:44 p.m.

Accepted this ____ day of _____, 2017

Chair Lindsay Lecour

Attest:

Sandra Novoa, MMC
Town Clerk



Town of Surfside Planning & Zoning Communication

Agenda Date: April 27, 2017

Subject: 228 89th Street

From: Guillermo Olmedillo, Town Manager
Sarah Sinatra Gould, AICP, Town Planner

Table of Contents:

1. Development Impact Committee
2. Application and Letter of Intent
3. Traffic Memorandum
4. Resolution

REQUEST:

Jerry Proctor, Esq. of Bilzin, Sumberg, agent for the applicant, Casa de Jesus, Inc. is proposing a childcare facility located at 228 89th Street.

The existing church facility is located at 228 89th Street. The proposed after school program will be an ancillary use to the existing church use. The applicant is proposing an after school care program to serve 30 children (ages 4 to 10). For the first year the after school program would allow 20 children with the ability to add an additional 10 children administratively. The applicant must prepare a traffic study which will demonstrate a de-minimus impact in order to be approved for the additional 10 children. The program would be held on weekdays between the hours of 3:00 p.m. to 8:00 p.m. A private shuttle van is proposed to pick up children from nearby schools and parents can also drop-off students. The applicant is also proposing to conclude the after school program at least one (1) hour before the start of any other events (such as worship service) on the property.

The applicant's traffic consultant has analyzed the possible traffic impacts and concluded that most trips will be generated before or after the afternoon peak hour traffic period. The traffic report indicates that the site has nine (9) parking spaces plus six (6) vehicles can be accommodated on the drive aisle next to the building. The traffic consultant concludes that a maximum stacking of two (2) vehicle will be needed and therefore will not be an issue for the proposed after school care program. In addition, the applicant is proposing that staff members of the after school program would park in the southern area of the parking lot on the property in order to allow for greater efficiency in the drop-off/pick-up area.

The zoning code permits public schools in this zoning category (H-30C), but a preschool or after care program is not specifically stated as a permitted use. Preschools and similar uses are often

ancillary uses to a religious institution. Section 90-37 of the zoning code states that in cases of uncertainty regarding whether or not a use is permitted, the classification of any use not specifically named in the regulations may be presented to the Planning and Zoning Board for a recommendation to the Town Commission for final action.

The Development Impact Committee (DIC) consisting of the Town Manager, Acting Assistant Town Manager, Town Attorney's Office, Town Planner, Building Official, Police Captain, Traffic Engineer, Public Works Director, and Parks and Recreation Director met in an open, advertised, televised session on February 7, 2017 to discuss this application.

STAFF RECOMMENDATION

Recommendation: Staff recommends that the Planning and Zoning Board recommend approval of the special exception application subject to the conditions in the Resolution.

Budget Impact: The addition of an after school program at Casa de Jesus Church is not intended to increase the need for City services, specifically for the Police Department. However, after the first year of operation, the traffic impacts will be reviewed to determine if an additional 10 students could be permitted. During this review it will also be determined if there has been impacts on the Town Police Department that were not initially foreseen.

Growth Impact: The application is for an after school program with a maximum of 30 children (ages 4 to 10) at the existing Casa de Jesus Church. Staff has not identified any growth management impacts at this time.

Staff Impact: The applicant has funded the review through the cost recovery process.



Sarah Sinatra Gould, AICP, Town Planner

Guillermo Olmedillo, Town Manager

**DEVELOPMENT IMPACT
COMMITTEE REPORT**

DEVELOPMENT IMPACT COMMITTEE MEETING

The Development Impact Committee (DIC)* met on February 7, 2017 to discuss the application for the 228 89th Street ("the Project"). The DIC meeting was attended by the following:

Staff Attendees: Guillermo Olmedillo, Town Manager
Randy Stokes, Public Works Director
Linda Miller, Town Attorney
Jane Graham, Assistant Town Attorney
Sarah Sinatra Gould, Town Planner
Chief Allen, Police
Ross Prieto, Building Official
Eric Czerniejewski, Traffic Engineer
Tim Millan, Parks and Recreation Director
Duncan Tavares, Acting Assistant Town Manager

Applicant Attendees: Carter McDowell, Attorney, Bilzin Sumberg
Marcella Castillo, Applicant, Casa de Jesus
Joaquin Vargas, Traf Tech Engineering, Inc.
Ezequiel Fattore, Casa de Jesus Church Pastor

Citizen Attendees (who signed in): None

***NOTE:** The DIC meetings are televised on the Town's Channel 77 and are well on the Town's website and posted on Town Hall.

The following was discussed at the meeting:

The applicant submitted a Special Exception Application for a 30 student (ages 4 to 10) after school program at the existing Casa de Jesus Church at 228 89th Street. The applicant's traffic consultant performed the traffic analysis based on all of the students being dropped off as well as picked up. The facility has indicated they will provide shuttle service to pick up the children from neighboring schools. The study showed that in worst case scenario (all students dropped off), there was a de minimus impact. The facility is proposing to offer aftercare from 3pm to 8pm, which extends typical pick up time and alleviates the traffic at peak hour.

Staff and the applicant's representatives discussed several possible conditions to be considered. The possible conditions include having the staff park in southernmost spaces on the site; the after school program should conclude an hour prior to other events at the church; the after school program should offer shuttle service to pick up students; and for the first year 20 students would be permitted as a trial run and if the test period is successful an additional 10 children could be added through an administrative request with an updated traffic and parking study being submitted.

**APPLICATION AND
LETTER OF INTENT**



SEP 01 02:32 PM

TOWN OF SURFSIDE

TOWN OF SURFSIDE SPECIAL EXCEPTION APPLICATION

A complete submittal includes all items on the "Submission Checklist for Special Exception" document as well as completing this application in full. The owner and agent must sign the application with the appropriate supplemental documentation attached. Please print legibly in ink or type on this application form.

PROJECT INFORMATION	
OWNER'S NAME	<u>Casa de Jesus.</u>
PHONE / FAX	<u>(305) 510 7571</u>
AGENT'S NAME	<u>Marcella Castillo</u>
ADDRESS	<u>228 89th st. Surfside, FL, 33154</u>
PHONE / FAX	<u>(305) 510 7571</u>
PROPERTY ADDRESS	<u>228 89th st. Surfside, FL, 33154</u>
ZONING CATEGORY	_____
DESCRIPTION OF SPECIAL EXCEPTION (please use separate sheet)	<u>Aftercare Program</u>

INTERNAL USE ONLY			
Date Submitted	_____	Project Number	_____
Report Completed	_____	Date	_____
Comments	_____		

CRITERIA (Please use separate sheet to respond to "a" or "b")
a. Nonconforming uses as follows:
i. A nonconforming use now existing in any part of a building to be extended vertically or laterally to other portions of the building.
ii. To determine the existence of a nonconforming use.
b. Other special use exceptions as follows:
i. To determine, in cases of uncertainty, the classification of any use not specifically named in these regulations; provided, however, such use shall be in keeping with uses specifically listed in the district.



[Handwritten signature]

SIGNATURE OF OWNER

8/31/2016

DATE

[Handwritten signature]

SIGNATURE OF AGENT

8/31/2016

DATE

Creative Strategy

Project : Aftercare Program

Objective : Faith based organization to provide care for children focusing on their spiritual growth, learning process, and confidence.

Who?	Children from the ages of 4 years to 10 years old.
Insight	We believe that children are the future of our country and we want to be part of their success. We would like to help children enjoy their learning experience, help with their spiritual growth and work on their confidence and self-esteem. It is very important for children to receive and individualize care that is systematically involved in their lives and that is the type of care we are interested in providing. The well being of child is our priority.
Principles	<ol style="list-style-type: none">1. Safety of Children2. Work on the parent-child relationship3. Being a faith based organization we would like to provide the possibility for our congregation for their children to experience Spiritual growth4. Using Creativity, Fun activities, and positive parenting skills to help children with their conduct5. Teach coping skills and problem solving skills6. Reinforce compassion, love, and empathy for our neighbors7. Using Art and Music classes to promote their creativity
Schedule	The Aftercare program would be opened from 3pm, parents could drop them off and we would also provide picking up from school service and the end of the activity or pick-up time would be from 7:30pm to 8:00pm.



SPECIAL EXCEPTION APPLICATION CHECKLIST

FEE

Single Family Residential: \$1,500

Multi-family or non-residential: \$5,000

Application fee made payable to the Town of Surfside

APPLICATION

A Special Exception Application shall be completed and submitted to the Town of Surfside Building Department located at the Town Hall. Town staff shall review the application and schedule the applicant for a Planning and Zoning Board meeting and Town Commission hearing.

ADVERTISING

The applicant is responsible for all advertising, noticing and signage required. A public hearing shall be advertised at least once in a local newspaper of general circulation or publicly posted in the Town Hall at least ten (10) days prior to the public hearing. Written courtesy notices shall be sent by first class mail to affected property owners within a radius of three hundred (300) feet. Where practicable, such advertising shall contain, in addition to a legal description, a street address, together with the specific intended use in layman's language, i.e., "apartment house" rather than "multiple dwelling," "meat market" rather than "business zoning."

A notice, eighteen (18) inches by twenty-four (24) inches, shall be placed in a prominent place on the property by the applicant at his own expense denoting the following:

REQUEST FOR: _____

PLANNING AND ZONING MEETING DATE AND TIME

TOWN COMMISSION MEETING: DATE AND TIME

TOWN HALL
9293 Harding Avenue
Surfside, FL 33154

COMPLETE INFORMATION REGARDING THE APPLICATION IS AVAILABLE BY CONTACTING THE TOWN HALL AT _____.

CRITERIA

1. The following are special exceptions which may be granted by resolution of the Town Commission receiving at least three affirmative votes:
 - a. Nonconforming uses as follows:
 - i. A nonconforming use now existing in any part of a building to be extended vertically or laterally to other portions of the building.
 - ii. To determine the existence of a nonconforming use.
 - b. Other special use exceptions as follows:
 - i. To determine, in cases of uncertainty, the classification of any use not specifically named in these regulations; provided, however, such use shall be in keeping with uses specifically listed in the district.

TOWN OF SURFSIDE TOWN HALL

9293 Harding Avenue

Surfside, FL 33154

305-861-4863

TOWN OF SURFSIDE PLANNING & ZONING DEPARTMENT

c/o Calvin, Giordano & Associates, Inc.

1800 Eller Drive, Suite 600

Fort Lauderdale, Florida 33316

954-921-7781

Jerry B. Proctor
Tel 305-350-2361
Fax 305-351-2250
jproctor@bilzin.com

November 1, 2016

**Mr. Guillermo Olmedillo, Town Manager
c/o Building Department
Town of Surfside
9293 Harding Avenue
Surfside, FL 33154**

**Re: Proposed Childcare Facility
Applicant: Casa de Jesus, Inc.
Property: 228 89th Street, Surfside, Florida
Folio No. 14-2235-005-0300**

Dear Mr. Olmedillo:

Please accept this letter of intent in conjunction with an Application for Public Hearing Approval for an After-School Program. In this Application, our firm represents Casa de Jesus, Inc., property owner ("Applicant") at 228 89th Street (the "Property"). The Property is located at the southeast corner of 89th Street and Harding Avenue.

The Property, which is 0.3 acres in size, houses an existing church in a 4,244 square foot two-story building. The Property is zoned H-30C.

The Applicant proposes an after school care program to serve 30 children from 4 to 10 years of age. The program would open at 3:00 p.m. on weekdays and end at 8:00 p.m. Accordingly, the bulk of the traffic movement to and from the Property would occur before and after, but not during, afternoon peak hour traffic periods. The required traffic statement authorizing these facts is contained in the attached letter from Traf Tech Engineering, Inc., dated August 26, 2016.

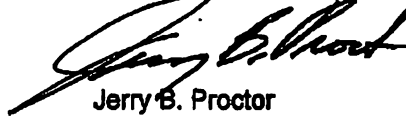
The proposed use of the Property is a customary, ancillary use to a religious facility and is addressed as such in the Town's Land Development Regulations. A religious facility is a place of public assembly, pursuant to Town Ordinance #07-1479, and the After-School Use will use the on-site church facilities and will operate with faith-based principles consistent with those of the church. Approval of this Application will create an additional option for child care in the community and an outlet for a safe play environment for children in accordance with the findings of the Surfside Charrette.

MIAMI 5173147.1 82548/49471

November 1, 2016
Page 2

Thank you for your consideration of this Application.

Sincerely,


Jerry B. Proctor

JBP/d

cc: Marcella Castillo

TRAFFIC MEMORANDUM

December 22, 2016

Ms. Marcella Castillo
228 Eighty Nine Street
Surfside, Florida 33154

Re: After School Program (Casa de Jesus) – Traffic Memorandum

Dear Ms. Castillo:

Per your request, Traf Tech Engineering, Inc. conducted a traffic statement associated with a proposed after-school program for up to 30 students at the existing Casa de Jesus Church located at 228 Eighty Ninth Street in the Town of Surfside. The site plan is contained in Attachment A. This traffic memorandum addresses trip generation and projected vehicle accumulation on site as a result of the proposed school.

Proposed Program

It is our understanding that a private shuttle van will pick up students from nearby schools for the afterschool program. Parents can also elect to drop-off their children after they are released from other schools. Hence, the inbound peak of the after-school program will occur sometime around 3:00 to 3:30 PM which is before the typical afternoon peak period. Likewise, the outbound peak will occur after 6:00 PM which will not coincide with the typical afternoon rush hour.

Trip Generation

Even though a private shuttle van is available for the inbound peak period, in order to assess impacts with a conservative approach, it was assumed that all after-school students will be dropped off by their parents. Based on this assumption, a trip generation analysis was performed using the trip generation rates published in the Institute of Transportation Engineer's (ITE) *Trip Generation Manual* (9th Edition). The trip generation analysis was based on the following assumption:

PROPOSED AFTERSCHOOL PROGRAM

- Private School (up to 30 students)

According to ITE's *Trip Generation Manual* (9th Edition), the trip generation rates used for the proposed after-school program are:

PRIVATE SCHOOL (ITE Land Use 534)

Inbound Peak Period

$T = 0.90 (X)$ (55% inbound and 45% outbound)

Where T = number of trips, X = number of students

Outbound Peak Period

$T = 0.90 (X)$ (45% inbound and 55% outbound)

Where T = number of trips, X = number of students

Using the above-listed equations from the ITE document, a trip generation analysis was undertaken for the proposed afterschool program. The results of this effort are documented in Table 1.

TABLE 1 Trip Generation Analysis After School Program (Casa de Jesus)					
Land Use	Size	Daily Trips	Inbound Peak (Outbound Peak)		
			Ins	Out	Total
School	30 students	n/a	15 (12)	12 (15)	27 (27)

Source: ITE Trip Generation Manual (9th Edition).

As indicated in Table 1, the proposed after-school program is projected to generate approximately 27 trips during the inbound peak as well as during the outbound peak. Therefore, the proposed school is anticipated to have de-minimus traffic impacts to the surrounding street system (one new peak hour trip every two minutes and 13 seconds).

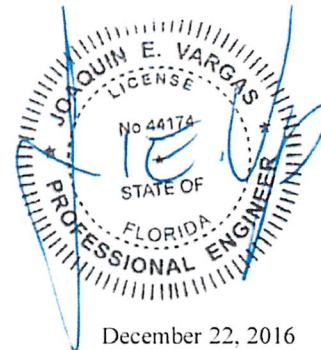
Vehicle Accumulation

A vehicle accumulation analyses was conducted for the proposed after-school program. The vehicle accumulation was based on results of vehicle stacking counts conducted by Traf Tech Engineering, Inc. at other South Florida schools. Based on vehicles counts conducted at other schools, the maximum vehicle accumulation was 17.05% of the student population (15 vehicles divided by 88 students – refer to Attachment C). Hence, up to six vehicles will be accumulated on site (including teachers/administration) and nine (9) parking spaces plus six (6) vehicles on the drive aisle next to the building can be accommodated on site. Additionally, a queuing analysis was undertaken based on ITE procedures (refer to Attachment B) indicating a maximum of two (2) vehicle stacking requirements, excluding parking for teachers/administration staff. Therefore, stacking is not anticipated to be a problem at the subject after-school facility.

Please give me a call if you have any questions.

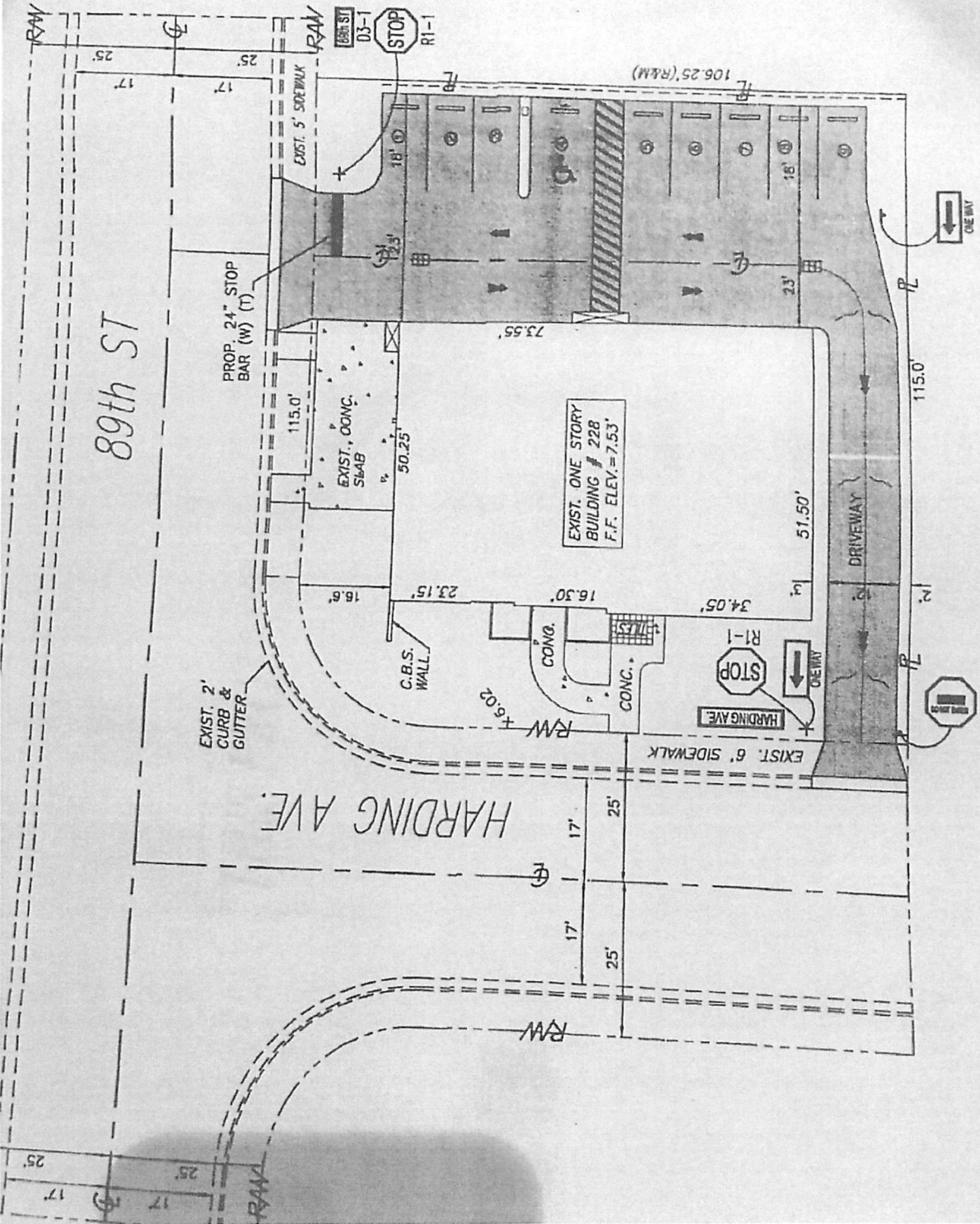
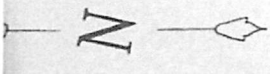
TRAF TECH ENGINEERING, INC.

Joaquin E. Vargas, P.E.
Senior Transportation Engineer



December 22, 2016

ATTACHMENT A
Site Plan



ATTACHMENT B

**Queuing Analysis and Processing Times
Recorded at another School**

Queuing Analysis based on ITE Procedures

$q = 15$ veh/hr (demand rate – Assume to arrive in 10 min)

$Q = 60$ veh/hr (service rate – refer to Table B-1, counts of processing times at another school)

$$p = \frac{q}{NQ} = 0.25 \quad (N = 1)$$

$$Q_M = 0.25$$

Using Acceptable Probability of 1% (99% Confidence Level)

$$M = \left[\frac{\ln(x > M) - \ln(Q_M)}{\ln(p)} \right] - 1$$

$$M = \left[\frac{\ln(0.01) - \ln(0.25)}{\ln(0.25)} \right] - 1$$

$$M = \left[\frac{-4.6052 - (-1.3863)}{-1.3863} \right] - 1$$

$$M = 2.3 - 1 = 1.3, \text{ say } 2 \text{ vehicles}$$

TABLE B-1 Ransom Middle School at 2045 S. Bayshore Drive Recordation of Pick-up Operation Processing Time							
Time Period	Duration		Vehicles Discharged		Capacity of School's Pick-up Operation		
	Min	Sec	Cummulative	Per Period	Sec/veh	veh/hr	veh/min
3:26 PM	1	60	6	6	10.0	360	6
3:27 PM	1	60	13	7	8.6	420	7
3:28 PM	1	60	19	6	10.0	360	6
3:29 PM	1	60	25	6	10.0	360	6
3:30 PM	1	60	38	13	4.6	780	13
3:31 PM	1	60	45	7	8.6	420	7
Total =	6	360	146	45	8.0	450	7.5

SOURCE: Traf Tech Engineering, Inc. (December 15, 2016)

Use six (6) vehicles can be processed per minute. Hence, in 10 minutes 60 vehicles can be processed.

ATTACHMENT C

**Example of Accumulation Study Done at
an Existing Day Care Facility near
Homestead, Florida**

Traf Tech

ENGINEERING, INC.

Ms. Marilyn Ramirez
Countryside Early Learning Center
15395 SW 288th Street
Homestead, Florida 33033

October 6, 2009

Re: Vehicle Accumulation Study – Countryside Early Learning Center

Dear Ms. Ramirez:

Per your request, Traf Tech Engineering, Inc. conducted a vehicle accumulation study at the existing Countryside Early Learning Center located at 15395 SW 288th Street in southwest Miami-Dade County, Florida. The vehicle accumulation study was conducted on Thursday, September 24, 2009 during the afternoon peak period.

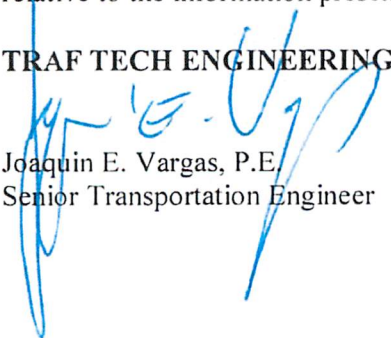
The Countryside Early Learning Center site has two access driveways off of SW 288th Street and a small parking lot with nine parking stalls. The west driveway functions as an inbound driveway and the east driveway operates as an egress driveway. The existing day-care facility has a capacity for 88 students. The facility is planning to expand its operation in order to accommodate approximately 140 students (approximately 60% increase in student capacity).

The number of vehicles accumulated at and near the site was recorded every 5-minute period between 3:30 PM and 5:30 PM. Table 1 summarizes the results of the vehicle accumulation study conducted on September 24, 2009. As documented in Table 1, the maximum vehicle accumulation occurred between 5:15 PM and 5:20 PM with 15 vehicles (all vehicles were inside the site).

By increasing the student capacity from 88 students to 140 students, the expansion project should have capacity to accommodate approximately 24 vehicles on site (refer to Miami-Dade County's Accumulation Assessment form attached to this letter). The proposed site plan is also enclosed.

Please give me a call if you have any questions or if you need additional clarifications relative to the information presented herein.

TRAF TECH ENGINEERING, INC.


Joaquin E. Vargas, P.E.
Senior Transportation Engineer

8400 North University Drive, Suite 309, Tamarac, Florida 33321
Tel: (954) 582-0988 Fax: (954) 582-0989

TABLE 1			
Countryside Early Learning Center			
Vehicle Accumulation Study			
Time Period	Number of Vehicles Accumulated at:		
	On Site¹	Off Site	Total
3:30 PM – 3:35 PM	10	0	10
3:35 PM – 3:40 PM	11	0	11
3:40 PM – 3:45 PM	11	0	11
3:45 PM – 3:50 PM	9	0	9
3:50 PM – 3:55 PM	10	0	10
3:55 PM – 4:00 PM	10	0	10
4:00 PM – 4:05 PM	9	0	9
4:05 PM – 4:10 PM	12	0	12
4:10 PM – 4:15 PM	13	0	13
4:15 PM – 4:20 PM	14	0	14
4:20 PM – 4:25 PM	11	0	11
4:25 PM – 4:30 PM	11	0	11
4:30 PM – 4:35 PM	10	0	10
4:35 PM – 4:40 PM	7	0	7
4:40 PM – 4:45 PM	8	0	8
4:45 PM – 4:50 PM	10	0	10
4:50 PM – 4:55 PM	7	0	7
4:55 PM – 5:00 PM	6	0	6
5:00 PM – 5:05 PM	7	0	7
5:05 PM – 5:10 PM	12	0	12
5:10 PM – 5:15 PM	14	0	14
5:15 PM – 5:20 PM	15	0	15
5:20 PM – 5:25 PM	14	0	14
5:25 PM – 5:30 PM	12	0	12
5:30 PM – 5:35 PM	10	0	10

Source: TrafTech Engineering, Inc. (September 24, 2009)

¹ Vehicles parked on parking stalls and parking aisles/driveways.

RESOLUTION

RESOLUTION NO. 17-Z-0__

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING AND ZONING BOARD; RECOMMENDING APPROVAL OF A SPECIAL EXCEPTION WITH CONDITIONS TO PERMIT AN AFTER-SCHOOL PROGRAM AT CASA DE JESUS, INC. LOCATED AT 228 89TH STREET IN THE TOWN OF SURFSIDE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

I. RECITALS.

WHEREAS, CASA DE JESUS, INC. (“Applicant”), owner of the church property located at 228 89th Street, Surfside, FL 33154, with a Folio number of 14-2235-05-0300 and general location of the southeast corner of 89th Street and Harding Avenue, Surfside, FL, (the “Property”) submitted an “Application” on November 1, 2016, requesting approval from the Town of Surfside, Florida for the use of the Property for an after- school care program to serve 30 children ages 4-10; and

WHEREAS, the Property is zoned as H-30C but a preschool or after day care program is not specifically listed as a permitted use in the zoning district; and

WHEREAS, Section 90-37 of the Town of Surfside Zoning Code provides that a use not specifically listed in the zoning regulations may be approved as a special exception by the Town Commission after recommendation by the Planning and Zoning Board; and

WHEREAS, the legal description of the Property is as follows in Attachment “A” “Legal Description”, incorporated herein; and

WHEREAS, on February 7, 2017, the Town’s Development Impact Committee, after notice posted on the Town’s website, met in a televised meeting, reviewed and discussed the Application and provided guidance to the Applicant regarding the criteria set forth in the Town’s Zoning Code; and

WHEREAS, on April 27, 2017, the Planning & Zoning Board, at a duly noticed and televised quasi-judicial public hearing, after reviewing the Application and hearing from its professional staff, the Applicant, and members of the public, considered the requirements of the Town Zoning Code and the Application’s consistency with the Town of Surfside Comprehensive Plan and recommended the Application for approval with conditions by the Town Commission.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING BOARD OF THE TOWN OF SURFSIDE, FLORIDA, APPLICABLE TO APPLICANT, ITS SUCCESSORS AND/OR ASSIGNS, AS FOLLOWS:

II. INCORPORATION OF RECITALS AND FINDINGS OF FACT.

A. All recitals set forth above are incorporated into the body of this Resolution as if same were fully set forth herein.

B. The Planning and Zoning Board finds that the proposed after-school program, as conditioned, is in compliance with the requirements and criteria set forth in the applicable Town Code and the Comprehensive Plan, and recommends that the Town Commission approve the after-school program with a maximum of 30 children at the existing Casa de Jesus Church as a special exception use.

III. APPROVAL AND CONDITIONS OF APPROVAL.

A. The Applicant's request for approval of the after-school program, with a maximum of 30 children at the existing Casa de Jesus Church, is granted as a special exception with conditions.

B. The following are conditions of approval:

1. The Applicant shall ensure that staff members of the after-school program shall park in the southern area of the parking lot on the Property, as indicated on the attached plans (Attachment B), to keep other spaces open and to allow for greater efficiency (less turnover) in the drop-off/pick-up area.
2. The Applicant shall ensure that the after-school program shall conclude in the evenings at least one (1) hour before the start of any other events (such as worship services) on the Property.
3. The Applicant shall offer a shuttle service to pick up students for the after-school program.
4. In order to demonstrate that the Property can accommodate the after-school program, for the first 12 months of operation following approval of the use by the Town, a maximum of 20 students shall be permitted. At any time after the first 12 months of operation, the Applicant may apply to the Town Manager for administrative approval of up to 10 additional students, for a maximum total of 30 students. The Applicant's application for additional students shall include a traffic study demonstrating there is sufficient parking and stacking to accommodate the requested increased enrollment, and the Town must approve and accept the results of that study prior to approving any requested increase in student enrollment.

IV. SEVERABILITY CLAUSE.

In the event any portion or section of this Resolution is determined to be invalid, illegal or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no way affect the remaining portions of this Resolution, which shall remain full force and effect.

V. EFFECTIVE DATE. This Resolution shall become effective upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2017

Motion by Planning and Zoning Board Member _____,

Second by Planning and Zoning Board Member _____.

FINAL VOTE ADOPTION:

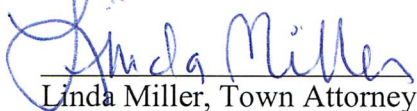
Member Peter Glynn	_____
Member Richard Iacobacci	_____
Member Brian Roller	_____
Vice Chair Judith Frankel	_____
Chair Lindsay Lecour	_____

Lindsay Lecour, Chair

ATTEST:

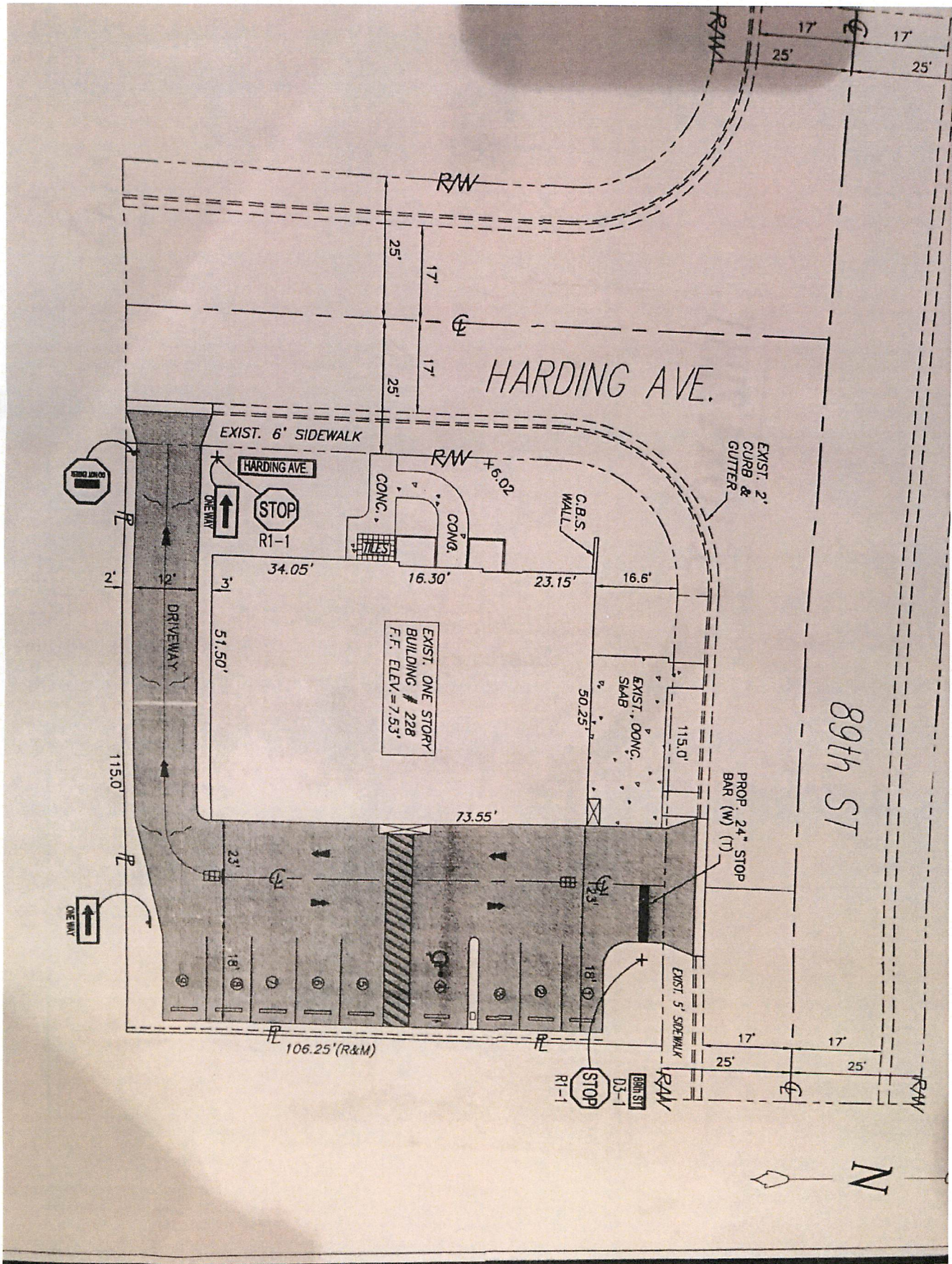
Sandra Novoa, MMC
Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICENCY FOR
THE TOWN OF SURFSIDE ONLY:**


Linda Miller, Town Attorney

Attachment "A"

Legal Description –SECOND AMENDED PLAT OF NORMANDY BEACH, PB
16-44, LOT 1 & LOT 2 LESS S.5FT THEREOF BLK 3





Town of Surfside Planning & Zoning Board Communication

Agenda Date: April 27, 2017
Subject: Temporary Signs
From: Sarah Sinatra Gould, AICP, Town Planner

Background: Section 166.0425, *Florida Statutes* provides that municipal sign ordinances shall not conflict with any applicable state or federal laws. The opinion of Reed v. Town of Gilbert, Ariz., 135 S. Ct. 2218 (2015) by the United States Supreme Court struck down an ordinance in the Town of Gilbert, Arizona as unconstitutional based on distinctions it made between temporary signs. Surfside Town Administration has determined that revisions to the Surfside sign code are advisable to update the code to be in compliance with Reed vs. Town of Gilbert, Ariz.

Analysis: Currently, the code divides temporary signs into different categories based on content (ex. real estate signs, political signs and construction signs). Due to the recent federal ruling on temporary signs, the Town must modify the code to treat the content all of these signs the same. Under today's code, one property could have a political sign, real estate sign and construction sign. The proposed requirements will continue allowing three temporary signs without dictating content. The proposed size for temporary signs three square feet, which is consistent with the existing size of both real estate and political signs.

Staff Recommendation: The Planning and Zoning Board acting as the Local Planning Agency to recommend the ordinance to the Town Commission.

Sarah Sinatra Gould, AICP, Town Planner

Guillermo Olmedillo, Town Manager



Town of Surfside Commission Communication

Agenda #:

Agenda Date: April 13, 2017

Subject: Temporary Signs

Background: Section 166.0425, *Florida Statutes* provides that municipal sign ordinances shall not conflict with any applicable state or federal laws. The opinion of Reed v. Town of Gilbert, Ariz., 135 S. Ct. 2218 (2015) by the United States Supreme Court struck down an ordinance in the Town of Gilbert, Arizona as unconstitutional based on distinctions it made between temporary signs. Surfside Town Administration has determined that revisions to the Surfside sign code are advisable to update the code to be in compliance with Reed vs. Town of Gilbert, Ariz.

Analysis: Currently, the code divides temporary signs into different categories based on content (ex. real estate signs, political signs and construction signs). Due to the recent federal ruling on temporary signs, the Town must modify the code to treat the content all of these signs the same. Under today's code, one property could have a political sign, real estate sign and construction sign. The proposed requirements will continue allowing three temporary signs without dictating content. The proposed size for temporary signs three square feet, which is consistent with the existing size of both real estate and political signs.

Budget Impact: None

Growth Impact: None

Staff Impact: None

Staff Recommendation: Staff recommends approving the ordinance on first reading.

Sarah Sinatra Gould, AICP, Town Planner

Guillermo Olmedillo, Town Manager

ORDINANCE NO. 17 - _____

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ARTICLE VI "SIGNS" OF "CHAPTER 90 ZONING" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; SPECIFICALLY AMENDING SECTION 90-69 "DEFINITIONS"; SPECIFICALLY AMENDING SECTION 90-74 "TEMPORARY SIGNS"; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (the "Town") revised and replaced its sign code in its entirety by Ordinance No. 14-1624; and

WHEREAS, Section 166.0425, *Florida Statutes* provides that municipal sign ordinances shall not conflict with any applicable state or federal laws; and

WHEREAS, the issued opinion of Reed v. Town of Gilbert, Ariz., 135 S. Ct. 2218 (2015) by the United States Supreme Court struck down an ordinance in the Town of Gilbert, Arizona as unconstitutional based on distinctions it made between temporary signs; and

WHEREAS, the Town has determined that revisions to the Town sign code are advisable to update the code to be in compliance with the recent United States Supreme Court decision of Reed vs. Town of Gilbert; and

WHEREAS, the Town Commission held its first public hearing on these regulations on April 13, 2017; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, has reviewed the revisions to the Code for consistency with the Town's Comprehensive Plan at a duly noticed hearing on April 27, 2017 and recommended approval; and

WHEREAS, the Town Commission shall have conducted a second duly noticed public hearing on these regulations as required by law on May 9, 2017; and

WHEREAS, the Town Commission hereby finds and declares that adoption of this Ordinance is necessary, appropriate, and advances the public interest.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. Each of the above stated recitals is true and correct and the recitals are incorporated herein by this reference.

Section 2. Code Amendment. The Code of Ordinances of the Town of Surfside, Section Sec. 90-69 is hereby amended as follows:

Sec. 90-69. - Definitions.

~~Construction sign: A temporary sign identifying those engaged in construction or remodeling on a building site, including the developer, contractor, subcontractor, architect, engineer or artisans involved in the project.~~

~~Political sign: Any sign which indicates the name, cause or affiliation of anyone seeking public office or which references a ballot issue~~

~~Real estate sign: A temporary sign erected by the owner or agent indicating property which is for rent, sale or lease, including signs pointing to a property which is open for inspection by a potential purchaser (open house sign) or a sign indicating "shown by appointment only" or "sold."~~

~~Temporary sign: A sign which is allowed for a limited amount of time such as a special event banner sign, construction sign, political sign or real estate sign or which pertains to a particular event or occurrence, or which is not designed or intended to be placed permanently.~~

Section 3. Code Amendment. The Code of Ordinances of the Town of Surfside, Section Sec. 90-74 is hereby amended as follows:

Sec. 90-74. - Temporary signs.

~~(a) Real estate sign.~~

~~(1) SD-B40 district. One professionally lettered real estate sign shall be permitted per building frontage. The maximum sign area shall be three square feet. The sign shall be mounted flat against the building wall or a minimum of 12 inches from a window, and shall not project above the eave line of the building.~~

~~(2) All other zoning districts. One professionally lettered real estate sign shall be permitted per street frontage. The sign shall be wall mounted flat against the building wall or securely fastened to a wood or metal freestanding stake or post of sufficient strength. The maximum sign panel area shall be 18 inches by 24 inches. A maximum of two riders shall be permitted to attach above or below the main sign panel not to exceed six inches by 24 inches per rider for in-ground signs. The maximum sign height for in-ground signs including support frame shall not exceed 42 inches from the ground to the top of the sign. Such sign shall be located outside of any sight visibility triangle. No portion of the sign shall extend across the property line.~~

~~(3) All real estate signs shall be black and white and may include a trademarked logo or symbol.~~

~~(4) Sign shall be constructed of rigid, weather proof materials.~~

~~(5) Sign shall not be lighted or illuminated in any manner.~~

~~(6) Sign shall be removed within seven days of a lot, building, residence or tenant space being leased, rented or sold.~~

~~(b) Political sign.~~

~~(1a) SD-B40 district. Three One professionally lettered political temporary signs, excluding banners, shall be permitted per building frontage. The maximum sign area shall be three square feet per sign. The sign shall be mounted flat against the building wall or a minimum of 12 inches from a window, and shall not project above the eave line of the building.~~

~~(2b) All other zoning districts. Three One professionally lettered temporary political signs shall be permitted per street frontage. The sign shall be wall mounted flat against the building wall or securely fastened to a wood or metal freestanding stake or post of sufficient strength. The maximum sign area shall be three square feet per sign. Sign face shall be constructed of metal, plastic, wood, pressed wood or cardboard. The maximum sign height for in-ground signs including support frame shall not exceed 42 inches from the ground to the top of the sign. Such sign shall be located outside of any sight visibility triangle. No portion of the sign shall extend across the property line.~~

~~(3c) Signs shall be not be erected more than 90 days prior to the subject election date or ballot vote event or occurrence and shall be removed no later than seven days after the event or occurrence subject election date or ballot vote.~~

~~(4d) Signs shall not be lighted or illuminated in any manner.~~

~~(5e) It shall be unlawful for any person to paste, glue, print, paint, affix, or attach by any means whatsoever to the surface of any public street, right-of-way, easement, sidewalk, curb, or to any property of any governmental body or public utility, any political temporary sign, poster, placard, or sticker designed or intended to advocate or oppose any ballot issue or the nomination or election of any candidate.~~

~~(e) Construction sign. Signs (f) Signs placed on construction sites.~~

~~(1) One professionally lettered construction One sign shall be permitted per construction site or development subject to the issuance of a building permit for the project. Such sign shall be removed immediately if the building permit for the project expires and construction has not commenced, and/or the permit is not renewed.~~

~~(2) Sign content is limited to the following:~~

~~a. Project name.~~

~~b. Parties involved in construction and financing.~~

~~c. Contact information such as phone number, email address or website.~~

~~d. Unit prices not to exceed ten percent of the total sign area. Numbers shall not exceed six inches in height.~~

~~(3) Maximum sign area is 16 square feet.~~

~~(4) Such sign may be freestanding affixed to posts, a flat wall sign, or to a construction fence. Freestanding signs shall be a minimum of ten feet from the property line and shall be a maximum of five feet in height from the ground to the top of the sign. Wall signs shall not extend above the floor of the second story, parapet wall, or eave line of the building.~~

~~(54)~~ Rigid weatherproof board is required.

~~(65)~~ Such sign must be removed within 72 hours of the issuance of a certificate of occupancy.

~~(d-g)~~ *Temporary window sign.*

(1) Temporary window signs of any nature may be attached to glass window or doors, or mounted within 12 inches of a glass window or door.

(2) One temporary sign shall be permitted per window.

(3) Sign may not be displayed more than 60 calendar days.

(4) The total area for temporary signs shall not exceed 20 percent of the glass window they are facing unless otherwise provided in this subsection.

~~(5) Temporary signs pertaining to a going out of business sale or everything must go clearance event shall be permitted to be displayed within a window for a period not to exceed 90 calendar days.~~

~~(6) A temporary sign not exceeding one square foot may be affixed to any window or glass door stating special hours or closing days due to holidays, or bona fide business or personal emergencies. There shall not be more than one such sign per window or door. Sign shall not be maintained for more than 14 calendar days.~~

~~(75)~~ Signs not in excess of six square inches, listing merchandise price, may be attached to items displayed in display windows.

~~(8) Temporary signs which are removed and redisplayed within 30 calendar days of removal shall be deemed in violation of this subsection listing price not exceeding six square inches shall be exempt from this requirement.~~

~~(e-h)~~ *Special event Temporary banner sign.*

(1) One professionally lettered temporary banner per building frontage or window in SD-B40 district advertising a grand opening associated with a commercial building or business enterprise is permitted.

~~(2) Permitted content shall be limited to "Grand Opening," "Coming Soon," "Now Open" or "Under New Management" and the date and time of the event where applicable.~~

~~(32)~~ No banner shall exceed 32 square feet or five percent of the building façade that faces a public street, whichever is less.

~~(4) Banners may only be displayed within 60 calendar days from the date an occupational license is issued.~~

~~(53)~~ No banner shall be displayed for more than 30 consecutive calendar days within a six month period.

~~(64)~~ Banner shall not include changeable copy.

~~(75)~~ Banner shall be made of durable materials such as canvas or vinyl. Non-durable material such as butcher-type paper is not permitted.

~~(86)~~ Banner shall be securely attached to a supporting structure such as a street frontage wall and capable of withstanding continuous wind without deflections or rotations that would cause deformation or damage.

~~(97)~~ No banner shall be attached to a roof structure or above the eave line of the building.

Section 3. Severability. If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 4. Conflict. All sections or parts of sections of the Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

Section 5. Inclusion in the Code of Ordinances. It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "Ordinance" may be changed to "Section" or other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective upon final adoption on second reading.

PASSED on first reading this _____ day of _____, 2017.

PASSED and **ADOPTED** on second reading this ____ day of _____, 2017.

On Final Reading Moved by: _____

On Final Reading Second by: _____

FINAL VOTE ON ADOPTION

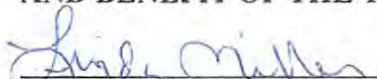
Commissioner Daniel Gielchinsky _____
Commissioner Michael Karukin _____
Commissioner Tina Paul _____
Vice Mayor Barry Cohen _____
Mayor Daniel Dietch _____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, MMC, Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**



Linda Miller, Town Attorney



MEMORANDUM

To: Planning & Zoning Board
Thru: Guillermo Olmedillo, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Town Attorney
Date: April 27, 2017
Re: Modifying measurement of height to prepare for sea level rise.

The Planning and Zoning has requested that the Town Commission provide direction on the Board's request to prepare ballot language for the March 2018 election to amend Section 4 of the Town's Charter to accommodate potential sea level rise. The following is the Board's request to be on the Town Commission's May 9, 2017 agenda. Please provide feedback and any changes.

One of the Planning & Zoning Board's (Board) top priority is to prepare and plan for sea level rise. The existing code measures height from crown of the road to the top of the structure and in the single family zoning districts, this is a maximum of 30 feet in height. This can accommodate a two story structure. By measuring from crown of the road, the structure itself is usually about 24-26 feet in height due to the crown of the road being approximately 4-6 feet above the lot.

As properties are being redeveloped, the Board has been concerned with structures having the ability to be elevated to accommodate sea level rise. The board has asked staff to analyze utilizing Base Flood Elevation (BFE), plus an additional one to five feet of built up ground rather than crown of the road as the measurement of height. The additional one to five feet of built up ground is called "freeboard." This methodology is utilized by Miami Beach.

Staff has reached out to Miami Beach to get a better understanding of how they arrived at one to five feet for their freeboard ordinance. They have indicated the minimum of one foot comes from FEMA, which provides discounts for Flood Insurance Rates at a one foot freeboard and five feet is a maximum due to their green building ordinance, which requires LEED Building Certification under certain circumstances. LEED has credits for Resilient Design which gives credit for having a first floor elevation at five feet above base flood elevation. In order to facilitate achieving this credit, a maximum five foot freeboard was selected.

Miami Beach's ordinance was initially proposed to be a maximum of three feet based on the 500 year flood plain and the South Florida Compact Unified Sea Level Rise Projection. According to the planning department, it was expected that three feet would have provided sufficient protection for approximately 40 years. However, the five feet was selected to accommodate LEED.

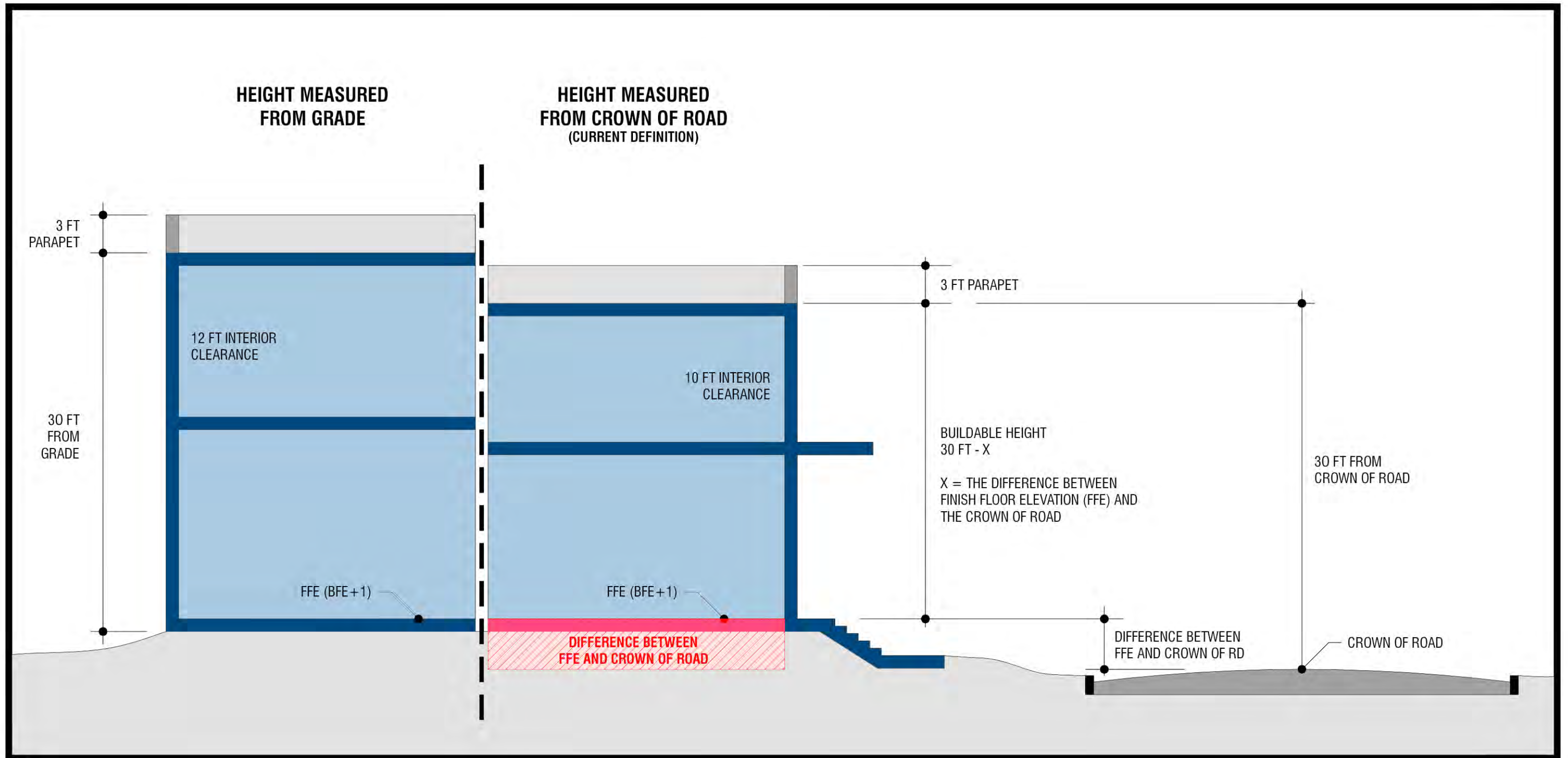
The 2004 Town Charter Amendment limits density, intensity and height to the standards present in the 2004 zoning code and comprehensive plan, whichever was more restrictive. Staff has determined that the 2004 definition of height in the zoning code was measured from crown of the road; therefore, any modification to that definition would require a charter amendment. The Board is requesting the Town Commission to consider directing staff to prepare ballot language to ask the voters to determine if the measurement of height should be modified to allow up to five additional feet of built up ground (freeboard) to accommodate potential sea level rise.

If the Town Commission agrees to direct staff to prepare ballot language, the question would be added to the March 2018 ballot and if the voters support the amendment, zoning code modifications would be prepared.

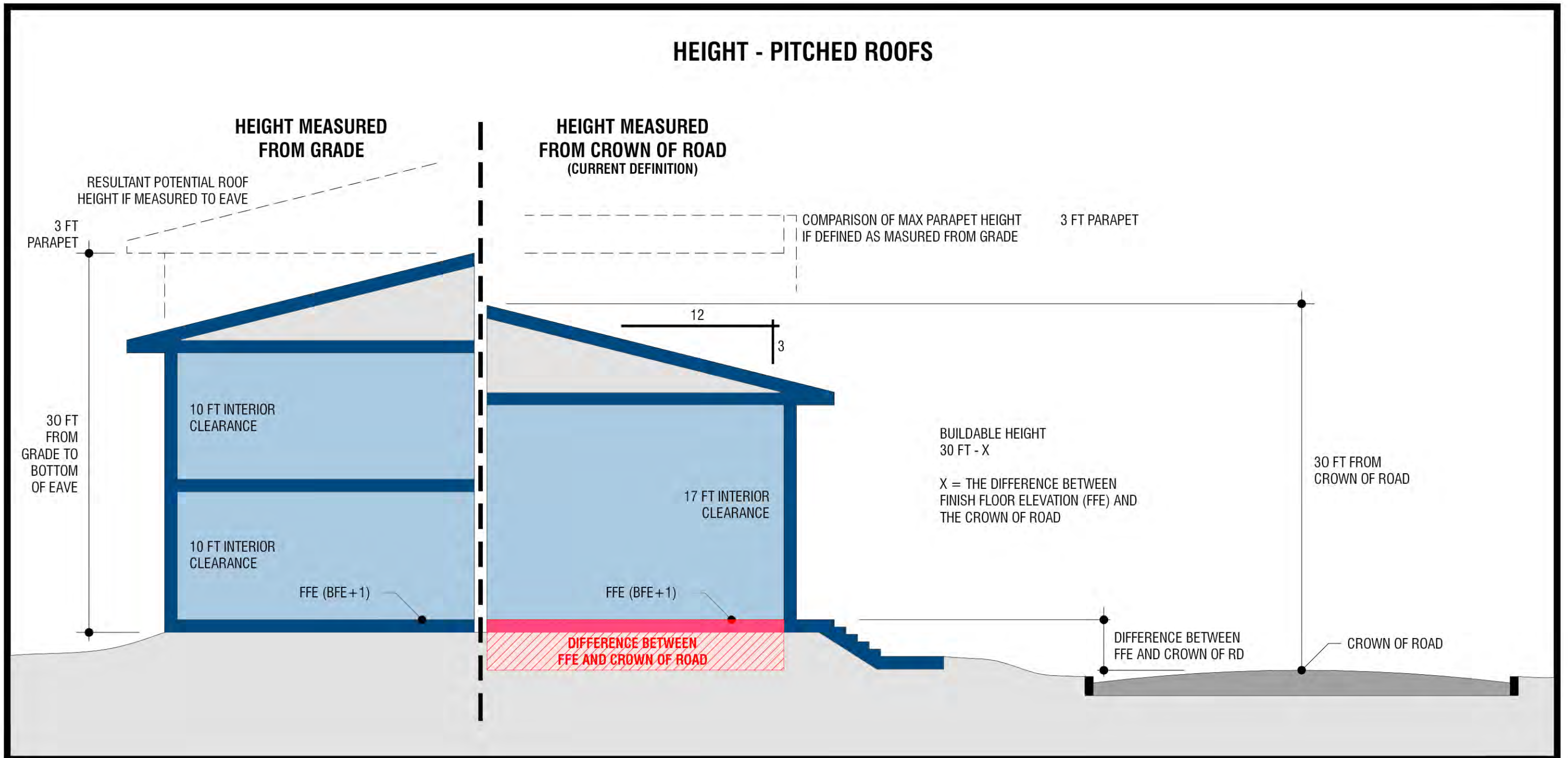
If the Town Commission does not wish to proceed with the ballot language or if the voters do not support the amendment, freeboard could still be accommodated, however, in the single family zoning districts, only one story structures could be developed due to the height limitation of 30 feet measured from crown of the road. New one story structures are not typically proposed due to the cost of properties along the barrier islands.

Enclosed is Miami Beach's ordinance for informational purposes. Also enclosed are graphics depicting the current height measurement versus measuring from BFE plus one foot of freeboard for a flat roofed structure and a pitched roof structure.

The Town Commission should discuss if it wishes to prepare ballot language to permit a modification in the definition of height to accommodate potential sea level rise.



HEIGHT - PITCHED ROOFS



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager

DATE: January 18, 2017



SUBJECT: **DISCUSSION REGARDING RESILIENCY AND ADAPTATION CRITERIA FOR LAND USE BOARDS.**

HISTORY

On December 14, 2016, the City Commission, at the request of Commissioner John Elizabeth Alemán, referred this item (R9F) to the Land Use and Development Committee (LUDC) and the Planning Board.

BACKGROUND

On October 19, 2016, at the request of Commissioner John Elizabeth Alemán, the City Commission discussed holding a workshop to explore setting boundaries for the North Beach Local Historic District (Item R9AE). The City Commission requested that every Historic Preservation Board packet presentation include resiliency and sustainability information. However, the City Attorney clarified that this information would have to be part of the Land Use Board review criteria in order to be considered.

ANALYSIS

The City has four Land Use Boards which are authorized to approve various types of development orders and make certain recommendations to the City Commission. These boards, with the assistance of City staff, utilize adopted criteria to make their decisions and recommendations. The general duties of the 4 Land Use Boards are as follows:

- Planning Board
 - Amendments to Comp Plan and Land Development Regulations
 - Conditional Use Permits
 - Division of Land/Lots Splits
- Design Review Board
 - Design Review Approval
- Board of Adjustment
 - Variances and Administrative Appeals
- Historic Preservation Board
 - Historic Designation Recommendations
 - Certificates of Appropriateness

As the City is facing an increase in flooding due to Sea Level Rise, it is important that Land Use Boards incorporate criteria to mitigate the effects of sea level rise and improve the City's Resiliency. Additionally, the recently adopted amendment to the City's

Comprehensive Plan related to “Peril of Flood,” establish the City as an Adaption Action Area (AAA), which among other things, requires that the City incorporate strategies into the Land Development Regulations to improve the community’s adaptability and resiliency capacities, with regards to the Sea Level Rise and Climate Change.

The attached draft ordinance amendment establishes Sea Level Rise and Resiliency Review Criteria within Chapter 133, entitled “Sustainability and Resiliency,” of the Land Development Regulations. It also references these criteria within the individual review criteria for each board. The following is a summary of the draft criteria for the Land Use Boards when reviewing development applications:

- (1) A recycling or salvage plan for partial or total demolition shall be provided.
- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
- (4) If resilient landscaping (salt and drought tolerant, native plants species) will be provided.
- (5) Whether the most recent adopted Southeast Florida Climate Compact Unified sea level rise projections, including a study of land elevation and elevation of surrounding properties, where considered and applied.
- (6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land.
- (7) Where feasible and appropriate, all critical mechanical and electrical systems will be located above base flood elevation.
- (8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.
- (9) When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet and dry flood proofing systems will be provided.
- (10) Where reasonably feasible and appropriate, water retention systems shall be provided.
- (11) New below grade parking shall be prohibited.

When considering ordinances, adopting resolutions, or making recommendations, the following criteria would apply:

- (1) Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.
- (2) Whether the proposal will increase the resiliency of the City with respect to sea level rise.
- (3) Whether the proposal is compatible with the City’s sea level rise mitigation and resiliency efforts.

CONCLUSION

The Administration recommends that the Land Use and Development Committee discuss the matter further and provide appropriate policy direction. If there is consensus on the proposal herein, it is further recommended that the ordinance be recommended for approval at the Planning Board.

JLM/SMT/TRM

SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," AT ARTICLE III, "AMENDMENT PROCEDURE," ARTICLE IV, "CONDITIONAL USE PROCEDURE," ARTICLE VI, "DESIGN REVIEW PROCEDURES," ARTICLE VII, "DIVISION OF LAND/LOT SPLIT," ARTICLE VIII, "PROCEDURE FOR VARIANCES AND ADMINISTRATIVE APPEALS," AND ARTICLE X, "HISTORIC PRESERVATION," TO PROVIDE REFERENCES TO SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA FOR CONSIDERATION BY LAND USE BOARDS WHEN DECIDING ISSUES WITHIN THEIR JURISDICTION; CHAPTER 133, "SUSTAINABILITY AND RESILIENCY," TO ESTABLISH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, Comprehensive Plan Future Land Use Element Policy 3.6 requires that the City "Maximize unpaved landscape to allow for more stormwater infiltration. Encourage planting of vegetation that is highly water absorbent, can withstand the marine environment, and the impacts of tropical storm winds. Encourage development measures that include innovative climate adaption and mitigation designs with creative co-benefits where possible;" and

WHEREAS, Comprehensive Plan Conservation/Coastal Zone Management Element Policy 2.12 provides that "Salt tolerant landscaping and highly water-absorbent, native or Florida friendly plants shall continue to be given preference over other planting materials in the plant materials list used in the administration of the landscape section of the Land Development Regulations and the design review process;" and

WHEREAS, Comprehensive Plan Conservation/Coastal Zone Management Element Objective 13 provides policies to "Increase the City's resiliency to the impacts of climate change and rising sea levels by developing and implementing adaptation strategies and measures in order to protect human life, natural systems and resources and adapt public infrastructure, services, and public and private property;" and

WHEREAS, the Miami Beach Comprehensive Plan designates the entire City as an Adaptation Action Area (AAA) containing one or more areas that experience coastal flooding due to extreme high tides and storm surge, and that are vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure and adaptation planning; and

WHEREAS, Comprehensive Plan Conservation/Coastal Zone Management Element Policy 13.4 states that "the City will develop and implement adaptation strategies for areas vulnerable to coastal flooding, tidal events, storm surge, flash floods, stormwater runoff, salt water intrusion and other impacts related to climate change or exacerbated by sea level rise, with the intent to increase the community's comprehensive adaptability and resiliency capacities;" and

WHEREAS, Comprehensive Plan Conservation/Coastal Zone Management Element Policy 13.8 states that the “City shall integrate AAAs into existing and future City processes and city-wide plans and documents which may include:… Land Development Regulations;” and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

SECTION 1. Chapter 118, “Administration and Review Procedures,” Article III, “Amendment Procedure,” Section 118-163, “Review by Planning Board,” is amended as follows:

Before the city commission takes any action on a proposed amendment to the actual list of permitted, conditional or prohibited uses in zoning categories or to the actual zoning map designation of a parcel or parcels of land or to other regulations of these land development regulations or to the city's comprehensive plan, the planning board shall review the request and provide the city commission with a recommendation as to whether the proposed amendment should be approved or denied. In reviewing the application, the planning board may propose an alternative ordinance on the same subject for consideration by the city commission. The following procedures shall apply to the board's consideration of the request:

* * *

- (1) In reviewing a request for an amendment to these land development regulations, the board shall consider the following when applicable:

* * *

- n. Whether the proposed change is consistent with the sea level rise and resiliency review criteria in Chapter 133, Article II, as applicable.

SECTION 2. Chapter 118, “Administration and Review Procedures,” Article IV, “Conditional Use Procedure,” Section 118-192, “Review Guidelines,” is amended as follows:

- (a) Conditional uses may be approved in accordance with the procedures and standards of this article provided that:

* * *

- (8) The structure and site complies with the sea level rise and resiliency review criteria in Chapter 133, Article II, as applicable.

SECTION 3. Chapter 118, “Administration and Review Procedures,” Article VI, “Design Review Procedures,” Section 118-251, “Design Review Criteria,” is amended as follows:

- (a) Design review encompasses the examination of architectural drawings for consistency with the criteria stated below, with regard to the aesthetics, appearances, safety, and function of any new or existing structure and physical attributes of the project in relation to the site, adjacent structures and surrounding community. The board and the planning department shall review plans based upon the below stated criteria, criteria listed in neighborhood plans, if applicable, and design guidelines adopted and amended periodically by the design review board and/or historic preservation board. Recommendations of the planning department may include, but not be limited to, comments from the building department and the public works department. If the board determines that an application is not consistent with the criteria, it shall set forth in writing the reasons substantiating its finding. The criteria referenced above are as follows:

* * *

(19) The structure and site complies with the sea level rise and resiliency review criteria in Chapter 133, Article II, as applicable.

SECTION 4. Chapter 118, "Administration and Review Procedures," Article VII, "Division of Land/Lot Split," Section 118-321, "Purpose, standards and procedure," is amended as follows:

- B. *Review criteria.* In reviewing an application for the division of lot and lot split, the planning board shall apply the following criteria:

* * *

(7) The structures and sites will comply with the sea level rise and resiliency review criteria in Chapter 133, Article II, as applicable.

SECTION 5. Chapter 118, "Administration and Review Procedures," Article VIII, "Procedure for Variances and Administrative Appeals," Section 118-353, "Variance Applications," is amended as follows:

- (d) In order to authorize any variance from the terms of these land development regulations and sections 6-4 and 6-41(a) and (b), the applicable board shall find that:

* * *

(8) The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in Chapter 133, Article II, as applicable.

SECTION 6. Chapter 118, "Administration and Review Procedures," Article X, "Historic Preservation," Division 3, "Issuance of Certificate of Appropriateness/Certificate to

Dig/Certificate of Appropriateness for Demolition,” Section 118-564, “Decisions on certificates of appropriateness,” is amended as follows:

(3) The examination of architectural drawings for consistency with the criteria stated below, with regard to the aesthetics, appearances, safety, and function of any new or existing structure, public interior space and physical attributes of the project in relation to the site, adjacent structures and properties, and surrounding community. The historic preservation board and planning department shall review plans based upon the below stated criteria and recommendations of the planning department may include, but not be limited to, comments from the building department. The criteria referenced above are as follows:

* * *

g. The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in Chapter 133, Article II, as applicable.

SECTION 7. Chapter 118, “Administration and Review Procedures,” Article X, “Historic Preservation,” Division 4, “Designation,” Section 118-592, “Criteria for Designation,” is amended as follows:

(c) The historic preservation board shall consider if the historic buildings, historic structures, historic improvements, historic landscape features, historic interiors (architecturally significant public portions only), historic sites, or historic districts comply with the sea level rise and resiliency review criteria in Chapter 133, Article II, as applicable.

SECTION 8. Chapter 133, “Sustainability and Resiliency,” is amended as follows:

ARTICLE I. – GREEN BUILDINGS

ARTICLE DIVISION I. – IN GENERAL

* * *

ARTICLE DIVISION II. – GREEN BUILDING REQUIREMENTS

* * *

ARTICLE DIVISION III. – SUSTAINABILITY FEE PROGRAM

Sec. 133-5. - Generally.

A Sustainability Fee will be assessed for all eligible participants. The calculation of the fee, provisions for refunding all or portions of the fee, its purpose, and eligible uses are detailed within this article division.

* * *

ARTICLE II. – SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

The City's Land Use Boards shall consider the following when making decisions within their jurisdiction, as applicable:

(a) Criteria for development orders:

- (1) A recycling or salvage plan for partial or total demolition shall be provided.
- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
- (4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.
- (5) Whether adopted sea level rise projections, including a study of land elevation and elevation of surrounding properties, where considered.
- (6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land.
- (7) Where feasible and appropriate, all critical mechanical and electrical systems will be located above base flood elevation.
- (8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.
- (9) When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet and dry flood proofing systems will be provided.
- (10) Where feasible and appropriate, water retention systems shall be provided.
- (11) New below grade parking shall be prohibited.

(b) Criteria for ordinances, resolutions, or recommendations:

- (1) Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.
- (2) Whether the proposal will increase the resiliency of the City with respect to sea level rise.
- (3) Whether the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.

SECTION 9. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 10. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Code of the City of Miami Beach, as amended; that the sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 11. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 12. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and ADOPTED this ____ day of _____, 2017.

Philip Levine
Mayor

ATTEST:

Rafael E. Granado
City Clerk

First Reading: _____, 2017
Second Reading: _____, 2017

Verified By: _____
Thomas R. Mooney, AICP
Planning Director

ITEM	OUTCOME	NEXT STEPS	IN CONTRACT OR WORK AUTHORIZATION	TENTATIVE SCHEDULE	COMPLETE
FUTURE PZ DISCUSSION ITEMS					
Circulation pattern	Prepare graphics			May Commission	
Give a foot, get a foot relating Sea Level Rise - Flat Roof vs. Pitch roof	Place on agenda for discussion on referendum	Prepare visuals, timeline and cross section.		May Commission	
Stepback discussion	Commission has requested the PZ board analyze this requirement	Prepare visual and calculation of volume, how much square footage does this equate to		Future PZ	
Maximum building lengths				March PZ, will come back to a Future PZ	
Setback for parapet above 30 feet on single family homes	Prepare ordinance to require additional setback	Draft code amendment		Future PZ	
Driveway	Prepare code modification that limits a driveway so that it does not exceed the front plane of the home.			Future PZ	
Impact fee discussion				Future PZ	
Ways to increase pervious area of lots	Place on PZ agenda for discussion. Provide PZ with current standards			Future PZ	
Tree Canopy	\$8,000 budgeted in the FY 2014-	Town Manager			

Initiative/ Single family district Streetscape master plan	2015 budget for the tree canopy	analyzing. Would need inclusion in the budget for additional projects.			
Fences & Hedges in the front of single family residences	Modify ordinance	Discussion on hedge height in the front		Future PZ	
Average side setback /Massing	Modify ordinance for additional side setbacks on upper floors for single family homes	Preparing graphics on reductions in 2 nd floor			On hold until full discussion of height and sea level rise.
Requiring larger sidewalks on east side of Collins	Discussion item for PZ from the Town Commission to require setback of walls and fences on Collins to provide larger sidewalks			Future PZ	
Satellite dishes	Further review by staff	Research and prepare report for discussion and possible code amendment	In contract	Future PZ	
Residential or commercial wind turbine regulations	Prepare ordinance regulating wind turbines including hurricane precautions, noise regulations, insurance considerations	Draft code amendment	In contract	Future PZ	
Green walls	Require green walls adjacent to alleys and other buildings that abut public right of ways	Research and prepare report for discussion and possible code amendment	In contract	Future PZ	
Final Zoning	Town Manager will analyze				

Inspections					
Request to Commission for a referendum on one-way streets in residential to support a streetscape plan	In budget to perform analysis for update of undergrounding	PZ discussion on pedestrian safety and walkability	Separate work authorization required	Presentation by the Town Manager at the November & December PZ meetings.	
West Side of Collins	Discussion on amenities permitted	Discuss with PZ		Future PZ	
ON UPCOMING COMMISSION AGENDA					
Roof Pitch of Single Family	Modify ordinance to include roof pitch above top of the truss as an architectural feature	Provide side by side elevation in current code to the top of the flat roof to demonstrate it is 3 feet above the top of a pitched roof.		Commission in May	
ON FUTURE COMMISSION AGENDA					
Commercial waste and recycling container screening	Screening for containers, green screen, vegetation, include pictures from Commissioner Kligman	Draft code amendment	In contract		Waiting placement on Commission Agenda
Driveway material regulations	Modify code to allow stamped concrete and concrete slabs with decorative rock or grass in between	Draft code amendment	In contract		Waiting Placement on Commission Agenda
Painting of commercial structures	Town Staff to prepare ordinance	Prepare ordinance for commission	Building to prepare ordinance		Upcoming Commission agenda.
COMPLETED					
Requiring noticing for demolition of houses	Research option and place on agenda for discussion				Yes
H40, H30 & SDB40 Architecturally	Review with PZ options for architecturally significant ordinance	PZ discussion	Will discuss budget with the Town	Discussed at December PZ.	No Action

Significant ordinance	for other zoning districts.		Manager	Board requested table with zoning of H40 & H30. Scheduled discussion for January PZ	
Sign Definitions	Modify sign definitions for monument and sign area	Drafted code amendment			
Carports	Require improved surface on frame	Addressed in Code		September PZ	Yes
Provide summary on construction hours and noise ordinance	Place update on PZ agenda.			September PZ	Yes
Workforce housing update				September PZ	Yes
Add requirement for licensed architect for DRB submittals	Reviewing entire section relating to DRB	Draft code amendment			May Commission Agenda
Corridor Analysis	Study corridor between Collins & Harding	Prepare code amendments	Work authorization to be approved in NOVEMBER	January Commission	Complete
Single Family Paint Colors	Discussion with the Planning & Zoning Board to determine if a color palette is appropriate for single family homes and what colors/criteria should be included	Place on future Planning and Zoning agenda for discussion	In contract	Will add to Joint Meeting with PZ/Commission.	Complete
Parking Trust Fund	Discussion with the Planning & Zoning Board to provide a cap for payment into the fund	Ordinance on July PZ agenda	In contract	July Commission for 1 st reading, July PZ August Commission for 2 nd reading	Complete
Turtle Lighting	Town Staff to prepare review	No ordinance necessary. Turtle	COMPLETE	Turtle Lighting	Town Staff to prepare

		lighting — already required in code.			review
Downtown — Color Palette	Discussion with the Planning & Zoning Board to determine if a color palette is appropriate and what colors/criteria should be included	Place on future Planning and Zoning agenda for discussion	In contract	Replaced — with repainting — of structures.	Complete
Bay Drive & 96 th Street	Open Bay Drive off 96 th Street	Staff will research	Police and Building to research	No — change. Police — Chief cited — safety concerns	COMPLETE
Sign/awning code	Discussed at Joint Meeting	Staff — beginning to work on draft	Work Authorization — approved	July Commission August Commission	COMPLETE
As built reviews for residential projects	Discuss increasing canopy in town, street trees, what can be planted in ROW	Research and prepare report for discussion and possible code amendment	In contract	March PZ	COMPLETE Added a program modification to FY2015 budget
Interpretation of base flood elevation for the H120 district	No change	No further action needed		N/A	COMPLETE
Solar panel regulations	Prepare ordinance regulating solar panels	Draft code amendment	In contract	March PZ	COMPLETE
Car charging station regulations	Prepare ordinance regulating car charging stations requiring them in new multi family, research what other communities are doing	Draft code amendment	In contract	December PZ	COMPLETE
Pyramiding effects of setbacks in the H120 district	No action necessary since Planning and Zoning Board currently reviewing setbacks as part of wall frontage modifications			N/A	
Garage door clarification	Modify code to remove requirement for two separate	Draft code amendment	In contract	November PZ	COMPLETE

	garage doors				
10% window opening requirement per story	Discussion with the Planning & Zoning Board	Prepare ordinance for commission	In contract	June PZ	November Commission for first reading
Landscaping in front of converted garage	Determine if landscaping planter is sufficient versus requiring landscaping.	Reviewed code and determined that planter is only permitted in cases where the driveway would be too short.	In contract	No further modification necessary	Yes
Sheds	Modify ordinance to increase square footage, but reduce height and add landscape requirements.	Draft code amendment	In contract	Discussed at March meeting.	Commission 1st reading in May. PZ in May